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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

JUL 11 2014

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Tuesday, July 8, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

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ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:24 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Kim, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of June 3, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

140236 [Planning Code - Mission Alcoholic Beverage Special Use District]

Sponsor: Campos

Ordinance amending the Planning Code, Mission Alcoholic Beverage Special Use District, to allow mini-golf courses functionally and/or physically integrated with a restaurant use to obtain liquor licenses; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

140485 [Interconnection Agreement - Pacific Gas and Electric Company - Solar Project - 850 Columbus Avenue]

Sponsor: Chiu

Ordinance authorizing the Public Utilities Commission's General Manager to enter into a long-term interconnection agreement with Pacific Gas and Electric Company for a solar power project at the North Beach Branch Library at 850 Columbus Avenue, to commence following Board approval and continue indefinitely unless terminated; authorizing the Public Utilities Commission's General Manager to enter into similar long-term interconnection agreements in the future; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

140598 [Settlement of Lawsuit - Sonya Knudsen - $465,000]

Ordinance authorizing settlement of the lawsuit filed by Sonya Knudsen against the City and County of San Francisco, John Martin and Blake Summers for $465,000; the lawsuit was filed on April 19, 2012, in United States District Court, Northern District of California, Case No. CV 12 1944 JST; entitled Sonya Knudsen v. City and County of San Francisco, San Francisco International Airport, John Martin, and Blake Summers. (City Attorney)

FINALLY PASSED

140696 [Appointments, Children and Families First Commission - E'leva Gibson and Jamal Harris]

Motion appointing E'leva Gibson and Jamal Harris (residency requirement waived), terms ending April 29, 2018, to the Children and Families First Commission. (Rules Committee)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the Consent Agenda

Supervisor Chiu requested that File No. 140438 be severed so that it may be considered separately.

Supervisor Wiener Excused from Voting

Supervisor Mar, seconded by Supervisor Tang, moved that Supervisor Wiener be excused from voting on File No. 140438. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Excused: 1 - Wiener

140438 [Appointment, Market and Octavia Community Advisory Committee - R Gary McCoy]

Motion appointing R Gary McCoy, term ending December 16, 2014, to the Market and Octavia Community Advisory Committee. (Rules Committee)

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Excused: 1 - Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Economic Development Committee

140413 [General Plan - Amendments Related to the 2014 Update of the Recreation and Open Space Element]

Ordinance amending the General Plan by updating the Recreational and Open Space Element of the General Plan; and making findings, including environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

Privilege of the floor was granted to John Rahaim, Planning Department Director, who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang
Noes: 3 - Campos, Wiener, Yee

Recommendation of the Rules Committee

140371 [Settlement of Lawsuit - Contest Promotions, LLC - City to Receive $375,000]

Ordinance authorizing settlement of the lawsuit filed by Contest Promotions, LLC, against the City and County of San Francisco for $375,000; the lawsuit was filed on September 22, 2009, in the United States District Court for the Northern District of California, Case No. CV-09-4434 SI (MEJ); entitled Contest Promotions, LLC, v. City of San Francisco, et al.; other material terms of said settlement include resolution of Notices of Violation for unpermitted general advertising signs. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140619 [Annual Budget and Appropriation Ordinance for Selected Departments - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Annual Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for selected departments of the City and County of San Francisco as of June 2, 2014, for the FYs ending June 30, 2015, and June 30, 2016.
(Fiscal Impact)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140621 [Annual Salary Ordinance - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2015, and June 30, 2016, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140635 [Budget of the Office of Community Investment and Infrastructure, Operating as Successor Agency to the San Francisco Redevelopment Agency - FY2014-2015]

Sponsor: Mayor

Resolution approving the Budget of the Office of Community Investment and Infrastructure, operating as the Successor Agency to the San Francisco Redevelopment Agency for FY2014-2015.
(Fiscal Impact; No Budget and Legislative Analyst Report)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140639 [Treasure Island Development Authority Budget - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Resolution approving the Budget of the Treasure Island Development Authority for FYs 2014-2015 and 2015-2016.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140508 [General Obligation Bond Election - Transportation and Road Improvement]
Sponsors: Mayor; Tang, Chiu, Wiener, Avalos, Kim, Breed, Farrell, Mar, Yee, Cohen and Campos

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of transportation and transit related improvements, and other critical infrastructure and facilities for transportation system improvements and safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code, Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such bonds; incorporating the provisions of Administrative Code, Sections 5.30-5.36; setting certain procedures and requirements for the election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, for the remaining portion of the bond; and finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan consistency requirement of Charter Section 4.105, and Administrative Code, Section 2A.53. (Fiscal Impact; No Budget and Legislative Analyst Report)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140509 [General Obligation Bond Election - Transportation and Road Improvement - $500,000,000]
Sponsors: Mayor; Tang, Chiu, Wiener, Avalos, Kim, Breed, Farrell, Mar, Yee, Cohen and Campos

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 4, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $500,000,000 to finance the construction, acquisition, and improvement of certain transportation and transit related improvements, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code, Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such bonds; incorporating the provisions of Administrative Code, Sections 5.30-5.36; setting certain procedures and requirements for the election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and Administrative Code, Chapter 31, for the remaining portion of the bond; and finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140510 [Ten-Year Capital Expenditure Plan - FYs 2013-2014 through 2022-2023]
Sponsors: Mayor; Tang and Chiu

Resolution amending the City's Ten-Year Capital Expenditure Plan for FYs 2013-2014 through FY2022-2023 to increase to $500,000,000 the proposed Transportation and Road Improvement Bond.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140590 [Administrative Code - County Clerk's Fees]

Sponsor: Mayor

Ordinance amending the Administrative Code to adjust the fees for County Clerk services for FY2014-2015; to remove fees for obsolete services; and to authorize annual automatic adjustment of Municipal ID Card fees to reflect changes in the Consumer Price Index.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140591 [Administrative Code - Eliminating Mayor's Office of Housing and Community Development Escrow Account Administration Fee]

Sponsor: Mayor

Ordinance amending the Administrative Code to eliminate the Mayor's Office of Housing and Community Development escrow account administration fee.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140592 [Building Code - Temporary Fee Reduction]

Sponsor: Mayor

Ordinance amending the Building Code to reduce all fees for staff services by 7% for a 6-month period and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140593 [Planning Code - Fee Elimination]

Sponsors: Mayor; Tang

Ordinance amending the Planning Code to eliminate 4 fees, including the Installment Agreement Processing Fee, the Refund Processing Fee, the Fee for Information Analysis Request for Information Technology, and the Reactivation Fee for Closed Cases; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Tang requested to be added as a co-sponsor.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140594 [Subdivision Code - Fee to Set Survey Monuments]

Sponsor: Mayor

Ordinance amending the Subdivision Code to adopt a fee to set survey monuments and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140623 [Administrative Code - Use of Art Enrichment Funds and Maintenance of Public Art]
Sponsor: Mayor
Ordinance amending the Administrative Code to define "art enrichment"; to allow aggregation of art enrichment funds for use on any City property rather than only the funding department's property; to allow the Arts Commission to reserve up to 10% of the art enrichment budget for maintenance and conservation; to allow art enrichment funds to be used exclusively for maintenance and conservation under limited circumstances; and to clarify references to the Arts Commission's jurisdiction over works of art consistent with the Charter; and making environmental findings.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140624 [Neighborhood Beautification and Graffiti Clean-up Fund - Tax Designation Ceiling - Tax Year 2014]
Sponsor: Mayor
Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2014.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140627 [Building Code - Use of Repair and Demolition Fund for Telegraph Hill Stabilization]
Sponsors: Mayor; Chiu
Ordinance amending the Building Code to authorize use of the Repair and Demolition Fund specified in Building Code, Section 102A.13, to address costs associated with private property owner responsibility to stabilize Telegraph Hill, as part of the Rock Slope Improvement Project, and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Chiu requested to be added as a co-sponsor.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140628 [Health Code - Patient Rates 2014-2016]
Sponsor: Mayor
Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2014, and making environmental findings.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140640 [Appropriation - Department of War Memorial - $14,496,012 - FY2014-2015]
Sponsor: Mayor
Ordinance appropriating an additional $14,496,012 for the Veterans Building Seismic Upgrade and Improvement Project of the Department of War Memorial for FY2014-2015, and placing the total appropriation of $14,496,012 on Controller's Reserve.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140642 [Park Code - Annual Increase of West Harbor Berthing License Fees]

Sponsor: Mayor

Ordinance amending the Park Code to require the Controller to increase the berthing license fees for the West Harbor of the San Francisco Marina Small Craft Harbor each year by 3% or the annual increase in the Consumer Price Index, whichever is higher, until September 1, 2043; and making environmental findings.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140625 [Adjusting the Access Line Tax with the Consumer Price Index of 2014]

Sponsor: Mayor

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2014, and adjusting the Access Line Tax by the same rate.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140626 [Proposition J Contract Certification Specified Contracted-Out Services Previously Approved]

Sponsor: Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: Budget Analyst (Board of Supervisors); LGBT Anti-violence Education and Outreach Program (District Attorney); citywide custodial services (excluding City Hall), citywide security services, central shops security; convention facilities management, and security services West South of Market (General Services Agency-City Administrator); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); food services for jail inmates (Sheriff); assembly of vote-by-mail envelopes (Department of Elections); security services-1680 Mission Street and security services-30 Van Ness Avenue (General Services Agency-Public Works).
(Fiscal Impact; No Budget and Legislative Analyst Report)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140629 [Accept and Expend Grants - Recurring State Grant Funds - Department of Public Health - FY2014-2015]

Sponsor: Mayor

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2014-2015.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140630 [Issuance of Tax Exempt and Taxable Lease Revenue Commercial Paper Notes - San Francisco General Hospital and Trauma Project - Not to Exceed $41,000,000]

Sponsor: Mayor

Resolution authorizing the execution and delivery, from time to time, of tax-exempt and/or taxable commercial paper notes in an aggregate principal amount not to exceed $41,000,000 to provide financing for the costs of the acquisition of furniture, fixtures, and equipment for the San Francisco General Hospital and Trauma Center Project and authorizing other related actions.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140631 [Approving Expenditure Plans - Human Services Care Fund - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Resolution approving the FYs 2014-2015 and 2015-2016 Expenditure Plans for the Human Services Care Fund.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140632 [Waiver of Payment in Lieu of Taxes - Housing Authority - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Resolution approving a waiver of the payment in lieu of taxes for FYs 2014-2015 and 2015-2016 from the Housing Authority of the City and County of San Francisco.
(Fiscal Impact)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140633 [Approving Expenditures - Budget Savings Incentive Fund - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Resolution approving expenditures from the Budget Savings Incentive Fund for one-time purposes in FYs 2014-2015 and 2015-2016.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140636 [Approving Expenditure Plan - San Francisco Children and Families Commission - Public Education Enrichment Fund - FY2014-2015]

Sponsors: Mayor; Mar

Resolution approving the San Francisco Children and Families Commission Expenditure Plan for the Public Education Enrichment Fund for FY2014-2015.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140637 [Approving Expenditure Plan - San Francisco Unified School District - Public Education Enrichment Fund - FY2014-2015]

Sponsors: Mayor; Mar

Resolution approving the San Francisco Unified School District Expenditure Plan for the Public Education Enrichment Fund for FY2014-2015.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140641 [Issuance of Tax Exempt and Taxable Lease Revenue Commercial Paper Notes - War Memorial Project - Not to Exceed $14,500,000]

Sponsor: Mayor

Resolution authorizing the execution and delivery, from time to time, of tax-exempt and/or taxable commercial paper notes in a aggregate principal amount not to exceed $14,500,000 to provide interim financing for the costs of seismic upgrade of and improvements to War Memorial Project and authorizing other related actions.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140683 [Accept and Expend Grant - San Francisco Bay Clinical Trials Unit - $166,446]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $166,446 from Public Health Foundation Enterprises, Inc., to participate in a program entitled San Francisco Bay Clinical Trials Unit for the period of December 10, 2013, through November 30, 2014.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140684 [Accept and Expend Grant - Probability-Based Survey of HIV Risk Among Transmen Using a Novel Sampling Method - $162,313]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $162,313 from the National Institutes of Health to participate in a program entitled "A Probability-Based Survey of HIV Risk Among Transmen Using a Novel Sampling Method" for the period of April 1, 2014, through March 31, 2015.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140685 [Accept and Expend Grant - Ryan White Part C Outpatient EIS Program - $322,645]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $322,645 from the Health Resources and Services Administration to participate in a program entitled Ryan White Part C Outpatient EIS Program for the period of May 1, 2014, through April 30, 2015, and waiving indirect costs.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140686 [Accept and Expend Grant - Medical Monitoring Project - $556,874]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $556,874 from the Centers for Disease Control and Prevention to participate in a program entitled "Medical Monitoring Project" for the period of June 1, 2014, through May 31, 2015.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

140444 [Development Agreement - Schlage Lock Project - Visitacion Development, LLC]

Sponsors: Mayor; Cohen

Ordinance approving a Development Agreement between the City and County of San Francisco and Visitacion Development, LLC, for certain real property located in Visitacion Valley, bounded approximately to the north and west by McLaren Park and the Excelsior and Crocker Amazon Districts, to the east by the Caltrain tracks, and to the south by the San Francisco/San Mateo County line and the City of Brisbane; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56.
(Fiscal Impact)
(Economic Impact)

Supervisor Cohen provided an overview of the project and further detailed changes to the accompanying agreement, namely, 1) revisions to Section 6.16 to clarify that the developer's fire suppression contribution of up to $1,500,000 applies only to the development of a water system for major seismic events (in addition to this contribution, the developer will also be required to cover the full cost of a low pressure water system as required by Uniform Fire Code); 2) revisions to Section 6.16 to specify when the developer must make fire suppression contribution of up to $1,500,000 (this contribution will be due within 60 days after certificates of occupancy have been issued for all housing units in the first phase of development); 3) the addition of three sub-sections, 1.4, 6.15, and 6.16, to the Table of Contents (the subsections themselves were already present in the previous version of the development agreement); and 4) changes to the spacing between certain sections and sub-sections.

The President received a revised development agreement and the Board accepted the revised development agreement without objections.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, on Page 4, beginning on Line 18, by deleting 'and the Mitigation Monitoring and Reporting Program, a copy of which is on file with the Board of Supervisors in File No. 140444'; on Page 7, beginning on Line 1, by deleting 'This Ordinance shall become effective on the date that all of the Project Ordinances are effective' and adding 'Effective and Operative Dates. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall become operative on its effective date or on the date that the last of the Project Ordinances becomes effective, whichever is later.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING AS AMENDED to July 15, 2014, after accepting the amendments to the accompanying agreement. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140646 [Local Operating Subsidy Program Contract - Plaza Apartments Associates, L.P. - 988 Howard Street - Not to Exceed $19,119,769]

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Local Operating Subsidy Program Grant Agreement with Plaza Apartments Associates, LP, a California limited partnership, to provide operating subsidies for formerly homeless households at Plaza Apartments, 988 Howard Street, for a 15-year period, in an amount not to exceed $19,119,769.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140647 [Local Operating Subsidy Program Contract - Mercy Housing California 50, LP - 129 Golden Gate Avenue - Not to Exceed $434,998]

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Local Operating Subsidy Program Grant Agreement with Mercy Housing California 50, a California limited partnership, to provide operating subsidies for formerly homeless households at Vera Haile Senior Housing, 129 Golden Gate Avenue, for a fifteen-year period, in an amount not to exceed $434,998.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140648 [Local Operating Subsidy Program Contract - Broadway Sansome Associates, LP - 255 Broadway Street - Not to Exceed $4,570,219]

Sponsors: Mayor; Chiu

Resolution authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Local Operating Subsidy Program Grant Agreement with Broadway Sansome Associates, LP, a California limited partnership, to provide operating subsidies for formerly homeless households at 255 Broadway Street, for a fifteen-year period, in an amount not to exceed $4,570,219.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140649 [Local Operating Subsidy Program Contract - 1100 Ocean Avenue Associates, LP - 1100 Ocean Avenue - Not to Exceed $3,745,499]

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Local Operating Subsidy Program Grant Agreement with 1100 Ocean Avenue Associates, LP, a California limited partnership, to provide operating subsidies for formerly homeless transition age youth at 1100 Ocean Avenue, for a fifteen-year period, in an amount not to exceed $3,745,499.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140650 [Local Operating Subsidy Program Contract - Mercy Housing California XLIV, LP - 1180-4th Street - Not to Exceed $10,254,142]

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Local Operating Subsidy Program Grant Agreement with Mercy Housing California XLIV, a California limited partnership, to provide operating subsidies for formerly homeless households at 1180-4th Street, for a fifteen-year period, in an amount not to exceed $10,254,142.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140651 [Local Operating Subsidy Program Contract - CHP Scott Street, LP - 3155 Scott Street - Not to Exceed $8,380,458]

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Local Operating Subsidy Program Grant Agreement with CHP Scott Street LP, a California limited partnership, to provide operating subsidies for formerly homeless transition age youth at 3155 Scott Street, for a fifteen-year period, in an amount not to exceed $8,380,458.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140036 [Planning Code - Dwelling Unit Density]

Sponsors: Wiener; Cohen and Kim

Ordinance amending the Planning Code to exclude Affordable Housing Units as defined from density calculations for projects that provide at least 20% of their units as Affordable Units and amending density calculations under certain scenarios; and adopting findings, including environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140675 [General Plan Amendment - Visitation Valley/Schlage Lock Special Use District]

Ordinance amending the General Plan to amend Maps 1, 2, 4, and 5 of the Commerce and Industry Element, Map 6 of the Transportation Element, Maps 4 and 5 of the Urban Design Element, and the Land Use Index to implement the Visitation Valley/Schlage Lock Special Use District, which generally includes the properties bounded by Bayshore, Blanken and Tunnel Avenue to the San Francisco/San Mateo County line to the south, including the properties fronting Bayshore Boulevard from Arleta Avenue to the San Francisco/San Mateo County line to the south, and including the properties fronting Leland Avenue from Cora Street to Bayshore Boulevard; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

Supervisor Cohen, seconded by Supervisor Kim, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140445 [Planning Code, Zoning Map - Visitation Valley/Schlage Lock Special Use District]
Sponsors: Mayor; Cohen

Ordinance amending the Planning Code, Section 249.45, to provide for use controls, including controls for formula retail uses, building standards, and procedural requirements, including noticing and community participation procedures, for applications for development, including design review and modifications, among other controls, in Zone 1 of the Schalge Lock/Visitation Valley Special Use District (also referred to as the Schlage Lock site); amending the Zoning Map by amending Sectional Maps ZN10 and HT10 to reflect the Visitacion Valley/Schlage Lock Special Use District; and making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

Supervisor Cohen, seconded by Supervisor Kim, moved that this Ordinance be CONTINUED ON FIRST READING to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140644 [Resolution of Intention - Incur Bonded Indebtedness for Transbay Transit Center - Not to Exceed $1,400,000,000]
Sponsors: Mayor; Kim

Resolution of intention to incur bonded indebtedness in an amount not to exceed $1,400,000,000 for the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center); and other matters related thereto.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140645 [Resolution of Intention - Establishing the Transbay Transit Center Community Facilities District]
Sponsors: Mayor; Kim

Resolution of Intention to establish City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140719 [Resolution of Intent - Mortgage Revenue Bonds - 800 Presidio Avenue - Not to Exceed $15,000,000]

Sponsor: Breed

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $15,000,000 for 800 Presidio Avenue (The John Burton Foundation Housing Complex); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $75,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $15,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140733 [Multifamily Housing Revenue Bonds - Rosa Parks II Senior Housing - Not to Exceed $30,000,000]

Sponsor: Breed

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $30,000,000 for the purpose of providing financing for the acquisition and construction of a 98-unit multifamily rental housing project known as Rosa Parks II Senior Housing; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

131106 [Liquor License - 222 Hyde Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Larry Livingston for The Basement, located at 222 Hyde Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140055 [Liquor License Transfer - 559 Hayes Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 424 Hayes Street to 559 Hayes Steet (District 5), to Ramiz Yousef for Nabila's Naturals, Inc., will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

140557 [Health Code - Assisted Outpatient Treatment ("Laura's Law")]

Sponsors: Farrell; Wiener, Tang and Breed

Ordinance amending the Health Code to authorize the implementation of court-ordered Assisted Outpatient Treatment (AOT) for individuals with mental illness who meet the criteria established by California Welfare and Institutions Code, Sections 5345-5349.5 ("Laura's Law"), to require the County Mental Health Officer create a Care Team to try to engage individuals referred for AOT in voluntary treatment prior to the imposition of court-ordered treatment; and making a finding that this authorization will not result in a reduction of current adult and juvenile mental health programs.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, on Page 10, beginning on Line 12, by adding '(c) The Department of Public Health shall retain an external consultant to evaluate the efficacy of the AOT program, including but not limited to collecting and analyzing information regarding the demographics of Referred Individuals and the cost of the program. By no later than three years after the effective date of this Section 4118, the Department of Public Health shall provide a copy of this external evaluation to the Board of Supervisors.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar

140597 [Settlement of Lawsuit - Cole Anderson - $35,000]

Ordinance authorizing settlement of the lawsuit filed by Cole Anderson against the City and County of San Francisco for $35,000; the lawsuit was filed on February 25, 2013, in San Francisco Superior Court, Case No. CGC-13-528964; entitled Cole Anderson, a Minor v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140600 [Settlement of Lawsuit - Mark Morgan - $238,000]

Ordinance authorizing settlement of the lawsuit filed by Mark Morgan against the City and County of San Francisco for $238,000; the lawsuit was filed on November 2, 2011, in San Francisco Superior Court, Case No. CGC-11-515615; entitled Mark Morgan v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140605 [Settlement of Lawsuit - Joseph Luebberke - $100,000]

Ordinance authorizing settlement of the lawsuit filed by Joseph Luebberke against the City and County of San Francisco for $100,000; the lawsuit was filed on January 21, 2011, in San Francisco Superior Court, Case No. CGC-11-507528; entitled Joseph Luebberke v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140606 [Settlement of Lawsuit - Maria Reyes Jimenez de Melendrez and Arnulfo Jimenez - $90,000]

Ordinance authorizing settlement of the lawsuit filed by Maria Reyes Jimenez de Melendrez and Arnulfo Jimenez against the City and County of San Francisco for $90,000; the lawsuit was filed on September 11, 2012, in San Francisco Superior Court, Case No. CGC-12-524112; entitled Maria Reyes Melendrez De Jimenez, et al. v City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140439 [Settlement of Claim - Amy Blackstone - $28,544]

Resolution approving the settlement of the unlitigated claim filed by Amy Blackstone against the City and County of San Francisco for $28,544; claim was filed on March 3, 2014, additional material terms of said settlement include title transfer to the City of the artwork created by Amy Blackstone as a sculptural fence for Father Alfred E. Boeddeker Park, the guaranteed physical delivery of the artwork to the City on or before June 30, 2014, and an intellectual property license to the City for the artwork. (City Attorney)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140607 [Settlement of Claim - Pacific Gas and Electric Company - $112,204]

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for $112,204; claim was filed on May 28, 2013. (City Attorney)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140616 [Confirming Reappointment, Oversight Board of the Successor Agency to the San Francisco Redevelopment Agency - Robert Muscat]

Sponsor: Mayor

Motion confirming the reappointment of Robert Muscat to the Oversight Board of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco, term ending January 24, 2018.

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140617 [Confirming Reappointment, Oversight Board of the Successor Agency to the San Francisco Redevelopment Agency - John Rahaim]

Sponsor: Mayor

Motion confirming the reappointment of John Rahaim to the Oversight Board of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco, term ending January 24, 2018.

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140667 [Confirming Appointment, Municipal Transportation Agency Board of Directors - Gwyneth J Borden]

Sponsor: Mayor

Motion confirming the Mayor's appointment of Gwyneth J. Borden to the Municipal Transportation Agency Board of Directors~~,~~ for the unexpired portion of a four-year term ending March 1, 2018.

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140669 [Appointment, Planning Commission - Christine D. Johnson]

Sponsor: Mayor

Motion approving the Mayor's nomination of Christine D. Johnson to the Planning Commission, for a four-year term ending June 30, 2018.

(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: June 5, 2014.)

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140677 [Appointment, Police Commission - Sonia Melara]

Sponsor: Mayor

Motion confirming the Mayor's nomination of, and appointing, Sonia Melara to the Police Commission, for the unexpired portion of a four-year term ending April 30, 2018.
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 5, 2014)

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140668 [Reappointment, Planning Commission - Rodney Fong]

Sponsor: Mayor

Motion approving the Mayor's nomination of Rodney Fong to the Planning Commission, for a term ending June 30, 2018.
(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: June 5, 2014.)

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140443 [Charter Amendment - Children and Youth Fund; Public Education Enrichment Fund; Our Children, Our Families Council; Rainy Day Reserves]

Sponsors: Yee; Avalos, Kim, Mar, Campos, Cohen, Breed, Tang, Farrell, Wiener and Chiu

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to: 1) extend the Children's Fund for 25 years and increase the set-aside from three cents to four cents over a four-year period; 2) extend the Public Education Enrichment Fund for 26 years; 3) create an Our Children, Our Families Council and require preparation of a Children and Families Plan; 4) create a City Rainy Day Reserve and a School Rainy Day Reserve out of the existing Rainy Day Reserve; and 5) make various technical and administrative changes to the Funds, at an election to be held on November 4, 2014.

Supervisor Yee, seconded by Supervisor Mar, moved that this Charter Amendment be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Rules Committee

140554 [Charter Amendment - Democratic Special Elections to Fill Mayoral and Board of Supervisors Vacancies]

Sponsors: Avalos; Campos and Mar

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require the Department of Elections to hold a special election when there is a vacancy in the office of the Mayor or Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; to provide that the President of the Board of Supervisors serves as Acting Mayor until an election is held to fill a mayoral vacancy; and to provide that the Mayor appoints an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on November 4, 2014.

Supervisor Avalos, seconded by Supervisor Kim, moved that this Charter Amendment be CONTINUED to July 15, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Mar, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Seleta Reynolds of the Municipal Transportation Agency in recognition of her accomplishments during her 16 years of service upon her departure from the City and County of San Francisco.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Airfield Services Officers of the Service Employees International Union in recognition of their heroism as first responders to the horrific and traumatic scene of the Asiana Flight 214 plane crash on the one year anniversary.

COMMITTEE REPORTS

Recommendation of the Land Use and Economic Development Committee

140736 [Interim Zoning Controls - Formula Retail Uses in the Castro Street Neighborhood Commercial District]

Sponsors: Wiener; Campos and Mar

Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303(i), for a proposed use that has been determined to be Formula Retail even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal; and making environmental findings, and findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Peter Warfield; expressed concerns relating to the lack of accountability by the Board of Supervisors relating to the SF Public Library and destruction of access.
Rita Lark; expressed concerns relating to summer lunch program, infestation of gangs, and public safety.
John Fitch; expressed concerns relating to death and tattoos.
Mary Kay Montgomery; expressed various concerns relating to mental health.
Male Speaker; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Emma Nelson; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Trida Pate; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Christy Springer; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Edmund Juizye; expressed various concerns relating to mental health.
Susan Harman; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
James Green; expressed concerns relating to serious medical emergencies and paramedic response time.
Abigail Truman; spoke in support for proposed legislation relating to rights and protections of the LGBT and Intersex communities of El Salvador.
Kathy Garrett; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Female Speaker; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Christy Akee; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Latina Wise; expressed various concerns relating to mental health.
Tony Robles; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Bill Nieto; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Female Speaker; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Lula Juarez; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Amy Shern; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Female Speaker; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Male Speaker; expressed various concerns relating to summer lunch program and support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Michelle Jiminez; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Male Speaker; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Seline Jackson; expressed various concerns relating to mental health.
Mary Jones; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Tony Kelly; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.
Grace Martinez; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.

Jakee Bryson; expressed various concerns relating to identity theft.
Otto Duffy; spoke in support for proposed legislation relating to Local Mortgage Principal Reduction Programs.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140737 [Apply for Grants - 2014 Emergency Preparedness Grants]

Sponsor: Mayor

Resolution authorizing designated City and County officials to execute and file, on behalf of the City and County of San Francisco, any actions necessary for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the FY2014 Urban Areas Security Initiative Grant, the FY2014 State Homeland Security Grant Program, the FY2014 Emergency Management Performance Grant, and the 2014 Local Government Oil Spill Contingency Plan Grant Program.

ADOPTED

140722 [Final Map 7803 - 1865 Clay Street]

Motion approving Final Map 7803, a six residential unit Condominium Project, located at 1865 Clay Street, being a subdivision of Assessor's Block No. 0623, Lot No. 008, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File No. 140709 be severed so that it may be considered separately.

140709 [Declaration of Intent - Explore Forming a Joint Powers Authority to Carry Out Local Mortgage Principal Reduction Programs]

Sponsors: Avalos; Campos, Mar and Kim

Resolution commending the City of Richmond for their work on creating a Local Principle Reduction Program and declaring San Francisco's intention to explore forming a Joint Powers Authority with Richmond to prevent foreclosures.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be REFERRED to the Neighborhood Services and Safety Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos requested that File No. 140738 be severed so that it may be considered separately.

140738 [Urging the Newly Elected Government of the Republic El Salvador to Respect and Uphold the Rights and Protections of Members of the Lesbian Gay Bisexual Transgender and Intersex Community of El Salvador]

Sponsors: Campos; Wiener, Avalos, Mar and Chiu

Resolution urging the newly elected government of the Republic El Salvador to respect and uphold the rights and protections of members of the Lesbian, Gay, Bisexual, Transgender and Intersex Community of El Salvador.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar requested that File No. 140739 be severed so that it may be considered separately and requested referral to committee.

140739 [Urging a Moratorium on Redemption Center Closures]

Sponsor: Mar

Resolution urging for a moratorium on redemption center closures in the City and County of San Francisco; and for supermarkets in San Francisco and the State agency CalRecycle to meet their statutory obligations by convening with the Department of the Environment to find solutions for a more evenly distributed network of recycling centers and ensure that a recycling center is located in their parking lots or redemption recycling is provided immediately nearby.

REFERRED to the Neighborhood Services and Safety Committee.

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

Resolutions

Motions

Hearings

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

140731 [Official Advertising - The Examiner - FY2014-2015]

Resolution designating The Examiner to be the official newspaper of the City and County of San Francisco for all official advertising for FY2014-2015 and ratifying the Office of Contract Administration's extension of the previous advertising contract with the San Francisco Chronicle for July 2014. (Office of Contract Administration)

06/17/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140742 [Airport Professional Services Agreement Modification - Operation and Maintenance Services - AirTrain System - Not to Exceed $100,548,174]

Resolution approving Modification No. 2 to Professional Services Agreement, Airport Contract No. 8838, to provide operation and maintenance services for the AirTrain System, between Bombardier Transportation (Holdings) USA, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, to cover the replacement of obsolete AirTrain equipment and to provide a contingency fund for the replacement of any additional equipment over the three-year contract term of March 1, 2014, through February 28, 2017, in an amount not to exceed $100,548,174 pursuant to Charter, Section 9.118(b). (Airport Commission)

06/27/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140743 [Contract Amendment - Edgewood Center for Children and Families - Not to Exceed $38,083,283]

Resolution approving an amendment to the agreement between the Department of Public Health and Edgewood Center for Children and Families to provide mental health services for children, youth, and families, increasing the total not to exceed contract amount from $29,109,089 by $8,974,194 for a total contract amount of $38,083,283 for a five and one-half year term of July 1, 2010, through December 31, 2015. (Public Health Department)

06/23/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140744 [Contract Amendments - Richmond Area Multi Services, Inc. - $43,955,232]

Resolution approving amendments to two contracts between the Department of Public Health and Richmond Area Multi Services, Inc., to provide behavioral health services to 1) children, youth and families, increasing the total contract amount to $20,819,627 and 2) adults, increasing the total contract amount to $23,135,605 for a total value of $43,955,232 for the term of July 1, 2010, through December 31, 2015. (Public Health Department)

06/23/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140745 [Contract Amendment - HealthRIGHT360 - Outpatient and Residential Mental Health and Substance Abuse Treatment Services - Not to Exceed $69,451,787]

Resolution approving an amendment to the contract between the Department of Public Health and HealthRIGHT360 to provide outpatient and residential mental health and substance abuse treatment services to the residents of San Francisco, increasing the total contract amount of $42,477,760 by $26,974,027 for a total contract amount of $69,451,787 for a five and one half year term of July 1, 2010, through December 31, 2015. (Public Health Department)

06/23/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140746 [Contract Amendment - MedImpact Healthcare Systems, Inc. - Not to Exceed $23,455,376]

Resolution approving an amendment to the contract between the Department of Public Health and the MedImpact Healthcare Systems, Inc. to provide third party pharmacy administration services and extend the contract term through December 31, 2015, for an amount not to exceed $23,455,376. (Public Health Department)

06/30/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140747 [Contract Amendment - Toyon Associates, Inc. - Not to Exceed $4,996,617]

Resolution approving an amendment to the contract between the Department of Public Health and the Toyon Associates, Inc., to provide regulatory reporting/reimbursement and revenue optimization services, for an amount not to exceed $4,996,617 for an additional three and one half years, for the term April 1, 2014, through March 30, 2018.

06/30/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140748 [Contract Amendment - HealthRIGHT360 - Behavioral Health Services and Primary Care Programs - $71,260,913]

Resolution approving an amendment to the contract between the Department of Public Health and HealthRIGHT360 for fiscal intermediary services for Behavioral Health Services and Primary Care Programs, extending the term by four years, from January 1, 2014, through December 31, 2014, to January 1, 2014, through December 31, 2018, and increasing the total contract amount of $9,700,495 by $61,560,418, to $71,260,913. (Public Health Department)

06/30/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140749 [License Agreement - Pacific Gas and Electric Company - Embarcadero-Potrero 230kV Transmission Project - $15,275,205.35]

Resolution approving License No. 15762 between the Port Commission and Pacific, Gas and Electric Company for the ZA-1 Embarcadero-Potrero 230kV Transmission Project for approximately 435,600 square feet of submerged land between Pier 28½ and the foot of 23rd Street, 52,272 square feet of underground access for horizontal directional drilling, and 21,120 square feet of land along 23rd Street with an Initial Term License Fee of $15,275,205.35 for a 40 year term to commence following Board approval, with a 26 year option. (Port)

06/30/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140750 [Option Agreement - Purchase the Hoedown Yard - Illinois and 22nd Streets - $8,283,726]

Resolution approving an option agreement to purchase the Hoedown Yard at the northeast corner of Illinois and 22nd Streets from Pacific Gas and Electric Company for $63.37 per square foot or approximately $8,283,726. (Port)

06/30/14; RECEIVED FROM DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:44 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 15, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

JUL 18 2014

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisors Campos, Cohen, and Farrell were not present. There was a quorum.

Supervisor Farrell was noted present at 2:06 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of June 10, 2014, and the Special Meeting Minutes at the Rules Committee Meeting of June 11, 2014. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Absent: 2 - Campos, Cohen

COMMUNICATIONS

There were none.

Supervisor Cohen was noted present at 2:07 p.m.
Supervisor Campos was noted present at 2:09 p.m.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

140794 [Formal Policy Discussions - July 15, 2014]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1, 3, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, we are all excited to have an opportunity to raise the minimum wage this November. Thank you for your leadership on this issue. Unfortunately, even with this potential increase on the horizon, many of our workers face significant barriers to achieving economic stability.

Formula retail establishments are a major employment base for San Francisco: there are approximately 1,250 formula retail establishments in the City, accounting for 12% of all retailers. The City has a strong interest in ensuring that the jobs created by these formula retail establishments are jobs that allow workers to meet basic needs and achieve economic security.

However, these employers have increasingly moved to scheduling practices that relegate their employees to involuntary part-time status and leave them with unpredictable and unstable work schedules, which contribute to the economic insecurity of their employees.

This unpredictability and instability in work schedules makes it extremely difficult for employees to plan a weekly budget, arrange for childcare, take on a second job, pursue job training, arrange for transportation to and from work, or attend class. These schedules significantly undermine workers' efforts to achieve economic security for themselves and their families.

Giving part-time employees the opportunity work more hours when the work is available advances the interests of the City as a whole by creating jobs that keep workers and their families out of poverty, and will help these workers meet basic needs and avoid economic hardship.

I am currently working on a proposal that will help to achieve these goals, can I count on your support in helping this sector of our workforce? (Supervisor Mar, District 1)

2. Mr. Mayor, last month, Supervisor Jane Kim and three colleagues introduced a ballot measure that would limit the production of market rate housing based on the total percentage of affordable housing in the City. You and others have argued that such a measure is counter-productive. In response, you introduced the "Build Housing Now" ballot measure, which is a statement of support for construction of housing at all levels, with language that would invalidate key portions of Supervisor Kim's measure.

Given our ongoing housing affordability crisis in San Francisco, I believe we must move beyond a divisive November ballot fight that would not actually build new housing and instead focus on ideas such as a 2015 affordable housing bond and a right of first purchase for tenants. Under what circumstances could we move beyond dueling ballot measures and work together to meet the housing needs of all of our residents? (Supervisor Chiu, District 3)

3. In April 2013, the Board of Supervisors unanimously passed my resolution urging the Retirement Board to divest from fossil fuels.

In February of this year, the Retirement Board initiated "Level 1" passive shareholder engagement with fossil fuel companies, but they have yet to take any steps to divest from fossil fuels or limit the Retirement Fund's exposure to the financial risks posed by climate change.

In April of this year on KQED's Forum program, you said that you have considered our resolution urging the Retirement Board to divest as part of "conversations that I am having with members of that Board to make sure they're in line with the City's values."

Last month, the Retirement Board held a special meeting dedicated to an Educational Session on Fossil Fuels. They heard from Bevis Longstreth, a former Securities and Exchange Commissioner, who explained the risks of investing in fossil fuel stocks in a post-climate change world and several other experts who explained how the Retirement Board could responsibly divest from fossil fuels while maintaining their fiduciary duty to protect and grow our retirement funds.

Mr. Mayor, how do you propose we work together with the Retirement Board to divest from fossil fuel companies and reinvest in less financially risky sectors of the energy market that can help support our local economy and create local jobs? (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Land Use and Economic Development Committee

140036 [Planning Code - Dwelling Unit Density]

Sponsors: Wiener; Cohen and Kim

Ordinance amending the Planning Code to exclude Affordable Housing Units as defined from density calculations for projects that provide at least 20% of their units as Affordable Units and amending density calculations under certain scenarios; and adopting findings, including environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

140371 [Settlement of Lawsuit - Contest Promotions, LLC - City to Receive $375,000]

Ordinance authorizing settlement of the lawsuit filed by Contest Promotions, LLC, against the City and County of San Francisco for $375,000; the lawsuit was filed on September 22, 2009, in the United States District Court for the Northern District of California, Case No. CV-09-4434 SI (MEJ); entitled Contest Promotions, LLC, v. City of San Francisco, et al.; other material terms of said settlement include resolution of Notices of Violation for unpermitted general advertising signs. (City Attorney)

FINALLY PASSED

140597 [Settlement of Lawsuit - Cole Anderson - $35,000]

Ordinance authorizing settlement of the lawsuit filed by Cole Anderson against the City and County of San Francisco for $35,000; the lawsuit was filed on February 25, 2013, in San Francisco Superior Court, Case No. CGC-13-528964; entitled Cole Anderson, a Minor v. City and County of San Francisco. (City Attorney)

FINALLY PASSED

140600 [Settlement of Lawsuit - Mark Morgan - $238,000]

Ordinance authorizing settlement of the lawsuit filed by Mark Morgan against the City and County of San Francisco for $238,000; the lawsuit was filed on November 2, 2011, in San Francisco Superior Court, Case No. CGC-11-515615; entitled Mark Morgan v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

140605 [Settlement of Lawsuit - Joseph Luebberke - $100,000]

Ordinance authorizing settlement of the lawsuit filed by Joseph Luebberke against the City and County of San Francisco for $100,000; the lawsuit was filed on January 21, 2011, in San Francisco Superior Court, Case No. CGC-11-507528; entitled Joseph Luebberke v. City and County of San Francisco. (City Attorney)

FINALLY PASSED

140606 [Settlement of Lawsuit - Maria Reyes Jimenez de Melendrez and Arnulfo Jimenez - $90,000]

Ordinance authorizing settlement of the lawsuit filed by Maria Reyes Jimenez de Melendrez and Arnulfo Jimenez against the City and County of San Francisco for $90,000; the lawsuit was filed on September 11, 2012, in San Francisco Superior Court, Case No. CGC-12-524112; entitled Maria Reyes Melendrez De Jimenez, et al. v City and County of San Francisco. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

140509 [General Obligation Bond Election - Transportation and Road Improvement - $500,000,000]

Sponsors: Mayor; Tang, Chiu, Wiener, Avalos, Kim, Breed, Farrell, Mar, Yee, Cohen and Campos

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 4, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $500,000,000 to finance the construction, acquisition, and improvement of certain transportation and transit related improvements, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code, Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such bonds; incorporating the provisions of Administrative Code, Sections 5.30-5.36; setting certain procedures and requirements for the election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and Administrative Code, Chapter 31, for the remaining portion of the bond; and finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53.
(Fiscal Impact; No Budget and Legislative Analyst Report)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140519 [Annual Budget and Appropriation Ordinance for Selected Departments - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Annual Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for selected departments of the City and County of San Francisco as of June 2, 2014, for the FYs ending June 30, 2015, and June 30, 2016.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140621 [Annual Salary Ordinance - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2015, and June 30, 2016, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140590 [Administrative Code - County Clerk's Fees]

Sponsor: Mayor

Ordinance amending the Administrative Code to adjust the fees for County Clerk services for FY2014-2015; to remove fees for obsolete services; and to authorize annual automatic adjustment of Municipal ID Card fees to reflect changes in the Consumer Price Index.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140591 [Administrative Code - Eliminating Mayor's Office of Housing and Community Development Escrow Account Administration Fee]

Sponsor: Mayor

Ordinance amending the Administrative Code to eliminate the Mayor's Office of Housing and Community Development escrow account administration fee.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140592 [Building Code - Temporary Fee Reduction]

Sponsor: Mayor

Ordinance amending the Building Code to reduce all fees for staff services by 7% for a 6-month period and affirming the Planning Department's determination under the California Environmental Quality Act.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140593 [Planning Code - Fee Elimination]

Sponsors: Mayor; Tang

Ordinance amending the Planning Code to eliminate 4 fees, including the Installment Agreement Processing Fee, the Refund Processing Fee, the Fee for Information Analysis Request for Information Technology, and the Reactivation Fee for Closed Cases; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140594 [Subdivision Code - Fee to Set Survey Monuments]

Sponsor: Mayor

Ordinance amending the Subdivision Code to adopt a fee to set survey monuments and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140623 [Administrative Code - Use of Art Enrichment Funds and Maintenance of Public Art]

Sponsor: Mayor

Ordinance amending the Administrative Code to define “art enrichment”; to allow aggregation of art enrichment funds for use on any City property rather than only the funding department's property; to allow the Arts Commission to reserve up to 10% of the art enrichment budget for maintenance and conservation; to allow art enrichment funds to be used exclusively for maintenance and conservation under limited circumstances; and to clarify references to the Arts Commission's jurisdiction over works of art consistent with the Charter; and making environmental findings.

(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140624 [Neighborhood Beautification and Graffiti Clean-up Fund - Tax Designation Ceiling - Tax Year 2014]

Sponsor: Mayor

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2014.

(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140627 [Building Code - Use of Repair and Demolition Fund for Telegraph Hill Stabilization]

Sponsors: Mayor; Chiu

Ordinance amending the Building Code to authorize use of the Repair and Demolition Fund specified in Building Code, Section 102A.13, to address costs associated with private property owner responsibility to stabilize Telegraph Hill, as part of the Rock Slope Improvement Project, and affirming the Planning Department's determination under the California Environmental Quality Act.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140628 [Health Code - Patient Rates 2014-2016]

Sponsor: Mayor

Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2014, and making environmental findings.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140640 [Appropriation - Department of War Memorial - $14,496,012 - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating an additional $14,496,012 for the Veterans Building Seismic Upgrade and Improvement Project of the Department of War Memorial for FY2014-2015, and placing the total appropriation of $14,496,012 on Controller's Reserve.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140642 [Park Code - Annual Increase of West Harbor Berthing License Fees]

Sponsor: Mayor

Ordinance amending the Park Code to require the Controller to increase the berthing license fees for the West Harbor of the San Francisco Marina Small Craft Harbor each year by 3% or the annual increase in the Consumer Price Index, whichever is higher, until September 1, 2043; and making environmental findings.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140510 [Ten-Year Capital Expenditure Plan - FYs 2013-2014 through 2022-2023]

Sponsors: Mayor; Tang and Chiu

Resolution amending the City's Ten-Year Capital Expenditure Plan for FYs 2013-2014 through FY2022-2023 to increase to $500,000,000 the proposed Transportation and Road Improvement Bond.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140625 [Adjusting the Access Line Tax with the Consumer Price Index of 2014]

Sponsor: Mayor

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2014, and adjusting the Access Line Tax by the same rate.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140626 [Proposition J Contract Certification Specified Contracted-Out Services Previously Approved]

Sponsor: Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: Budget Analyst (Board of Supervisors); LGBT Anti-violence Education and Outreach Program (District Attorney); citywide custodial services (excluding City Hall), citywide security services, central shops security; convention facilities management, and security services West South of Market (General Services Agency-City Administrator); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); food services for jail inmates (Sheriff); assembly of vote-by-mail envelopes (Department of Elections); security services-1680 Mission Street and security services-30 Van Ness Avenue (General Services Agency-Public Works).
(Fiscal Impact; No Budget and Legislative Analyst Report)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140629 [Accept and Expend Grants - Recurring State Grant Funds - Department of Public Health - FY2014-2015]

Sponsor: Mayor

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2014-2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140630 [Issuance of Tax Exempt and Taxable Lease Revenue Commercial Paper Notes - San Francisco General Hospital and Trauma Project - Not to Exceed $41,000,000]

Sponsor: Mayor

Resolution authorizing the execution and delivery, from time to time, of tax-exempt and/or taxable commercial paper notes in an aggregate principal amount not to exceed $41,000,000 to provide financing for the costs of the acquisition of furniture, fixtures, and equipment for the San Francisco General Hospital and Trauma Center Project and authorizing other related actions.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140631 [Approving Expenditure Plans - Human Services Care Fund - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Resolution approving the FYs 2014-2015 and 2015-2016 Expenditure Plans for the Human Services Care Fund.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140632 [Waiver of Payment in Lieu of Taxes - Housing Authority - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Resolution approving a waiver of the payment in lieu of taxes for FYs 2014-2015 and 2015-2016 from the Housing Authority of the City and County of San Francisco.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140633 [Approving Expenditures - Budget Savings Incentive Fund - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Resolution approving expenditures from the Budget Savings Incentive Fund for one-time purposes in FYs 2014-2015 and 2015-2016.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140635 [Budget of the Office of Community Investment and Infrastructure, Operating as Successor Agency to the San Francisco Redevelopment Agency - FY2014-2015]

Sponsor: Mayor

Resolution approving the Budget of the Office of Community Investment and Infrastructure, operating as the Successor Agency to the San Francisco Redevelopment Agency for FY2014-2015.
(Fiscal Impact; No Budget and Legislative Analyst Report)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140636 [Approving Expenditure Plan - San Francisco Children and Families Commission - Public Education Enrichment Fund - FY2014-2015]

Sponsors: Mayor; Mar

Resolution approving the San Francisco Children and Families Commission Expenditure Plan for the Public Education Enrichment Fund for FY2014-2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140637 [Approving Expenditure Plan - San Francisco Unified School District - Public Education Enrichment Fund - FY2014-2015]

Sponsors: Mayor; Mar

Resolution approving the San Francisco Unified School District Expenditure Plan for the Public Education Enrichment Fund for FY2014-2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140639 [Treasure Island Development Authority Budget - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Resolution approving the Budget of the Treasure Island Development Authority for FYs 2014-2015 and 2015-2016.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140641 [Issuance of Tax Exempt and Taxable Lease Revenue Commercial Paper Notes - War Memorial Project - Not to Exceed $14,500,000]

Sponsor: Mayor

Resolution authorizing the execution and delivery, from time to time, of tax-exempt and/or taxable commercial paper notes in a aggregate principal amount not to exceed $14,500,000 to provide interim financing for the costs of seismic upgrade of and improvements to War Memorial Project and authorizing other related actions.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140683 [Accept and Expend Grant - San Francisco Bay Clinical Trials Unit - $166,446]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $166,446 from Public Health Foundation Enterprises, Inc., to participate in a program entitled San Francisco Bay Clinical Trials Unit for the period of December 10, 2013, through November 30, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140684 [Accept and Expend Grant - Probability-Based Survey of HIV Risk Among Transmen Using a Novel Sampling Method - $162,313]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $162,313 from the National Institutes of Health to participate in a program entitled "A Probability-Based Survey of HIV Risk Among Transmen Using a Novel Sampling Method" for the period of April 1, 2014, through March 31, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140685 [Accept and Expend Grant - Ryan White Part C Outpatient EIS Program - $322,645]
Sponsor: Mayor
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $322,645 from the Health Resources and Services Administration to participate in a program entitled Ryan White Part C Outpatient EIS Program for the period of May 1, 2014, through April 30, 2015, and waiving indirect costs.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140686 [Accept and Expend Grant - Medical Monitoring Project - $556,874]
Sponsor: Mayor
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $556,874 from the Centers for Disease Control and Prevention to participate in a program entitled "Medical Monitoring Project" for the period of June 1, 2014, through May 31, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

140444 [Development Agreement - Schlage Lock Project - Visitacion Development, LLC]
Sponsors: Mayor; Cohen
Ordinance approving a Development Agreement between the City and County of San Francisco and Visitacion Development, LLC, for certain real property located in Visitacion Valley, bounded approximately to the north and west by McLaren Park and the Excelsior and Crocker Amazon Districts, to the east by the Caltrain tracks, and to the south by the San Francisco/San Mateo County line and the City of Brisbane; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56.
(Fiscal Impact)
(Economic Impact)

Supevisor Cohen provided details relating to the modifications to the underlying development agreement received from the Office of Economic and Workforce Development. The modifications were received without objection.

PASSED ON FIRST READING, after accepting modifcations to the underlying development agreement, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140445 [Planning Code, Zoning Map - Visitation Valley/Schlage Lock Special Use District]

Sponsors: Mayor; Cohen

Ordinance amending the Planning Code, Section 249.45, to provide for use controls, including controls for formula retail uses, building standards, and procedural requirements, including noticing and community participation procedures, for applications for development, including design review and modifications, among other controls, in Zone 1 of the Schalge Lock/Visitation Valley Special Use District (also referred to as the Schlage Lock site); amending the Zoning Map by amending Sectional Maps ZN10 and HT10 to reflect the Visitacion Valley/Schlage Lock Special Use District; and making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

Supervisor Cohen, seconded by Supervisor Tang, moved that this Ordinance be AMENDED on Page 22, Line 12, by adding 'This ordinance shall become operative on its effective date, or on the Effective Date of the Development Agreement (as defined in the Development Agreement), whichever is later.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140675 [General Plan Amendment - Visitation Valley/Schlage Lock Special Use District]

Ordinance amending the General Plan to amend Maps 1, 2, 4, and 5 of the Commerce and Industry Element, Map 6 of the Transportation Element, Maps 4 and 5 of the Urban Design Element, and the Land Use Index to implement the Visitation Valley/Schlage Lock Special Use District, which generally includes the properties bounded by Bayshore, Blanken and Tunnel Avenue to the San Francisco/San Mateo County line to the south, including the properties fronting Bayshore Boulevard from Arleta Avenue to the San Francisco/San Mateo County line to the south, and including the properties fronting Leland Avenue from Cora Street to Bayshore Boulevard; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

Supervisor Cohen, seconded by Supervisor Tang, moved that this Ordinance be AMENDED on Page 5, Line 4, by adding 'This ordinance shall become operative on its effective date, or on the date that the ordinance creating the Visitation Valley/Schlage Lock Special Use District (Board File No. 140445) becomes operative, whichever is later.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140644 [Resolution of Intention - Incur Bonded Indebtedness for Transbay Transit Center - Not to Exceed $1,400,000,000]

Sponsors: Mayor; Kim

Resolution of intention to incur bonded indebtedness in an amount not to exceed $1,400,000,000 for the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center); and other matters related thereto.

Privilege of the floor was granted to Ken Rich (Office of Economic and Workforce Development) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140645 [Resolution of Intention - Establishing the Transbay Transit Center Community Facilities District]

Sponsors: Mayor; Kim

Resolution of Intention to establish City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

Privilege of the floor was granted to Ken Rich (Office of Economic and Workforce Development) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Land Use and Economic Development Committee

140413 [General Plan - Amendments Related to the 2014 Update of the Recreation and Open Space Element]

Ordinance amending the General Plan by updating the Recreational and Open Space Element of the General Plan; and making findings, including environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

FINALLY PASSED by the following vote:
Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 3 - Avalos, Campos, Wiener

Supervisor Yee, seconded by Supervisor Wiener, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FINALLY PASSED by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang
Noes: 4 - Avalos, Campos, Wiener, Yee

Recommendations of the Rules Committee

140557 [Health Code - Assisted Outpatient Treatment ("Laura's Law")]

Sponsors: Farrell; Wiener, Tang and Breed

Ordinance amending the Health Code to authorize the implementation of court-ordered Assisted Outpatient Treatment (AOT) for individuals with mental illness who meet the criteria established by California Welfare and Institutions Code, Sections 5345-5349.5 ("Laura's Law"), to require the County Mental Health Officer create a Care Team to try to engage individuals referred for AOT in voluntary treatment prior to the imposition of court-ordered treatment; and making a finding that this authorization will not result in a reduction of current adult and juvenile mental health programs.

FINALLY PASSED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar

140443 [Charter Amendment - Children and Youth Fund; Public Education Enrichment Fund; Our Children, Our Families Council; Rainy Day Reserves]

Sponsors: Yee; Avalos, Kim, Mar, Campos, Cohen, Breed, Tang, Farrell, Wiener and Chiu

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to: 1) extend the Children's Fund for 25 years and increase the set-aside from three cents to four cents over a four-year period; 2) extend the Public Education Enrichment Fund for 26 years; 3) create an Our Children, Our Families Council and require preparation of a Children and Families Plan; 4) create a City Rainy Day Reserve and a School Rainy Day Reserve out of the existing Rainy Day Reserve; and 5) make various technical and administrative changes to the Funds, at an election to be held on November 4, 2014.

ORDERED SUBMITTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Rules Committee

140554 [Charter Amendment - Democratic Special Elections to Fill Mayoral and Board of Supervisors Vacancies]

Sponsors: Avalos; Campos and Mar

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require the Department of Elections to hold a special election when there is a vacancy in the office of the Mayor or Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; to provide that the President of the Board of Supervisors serves as Acting Mayor until an election is held to fill a mayoral vacancy; and to provide that the Mayor appoints an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on November 4, 2014.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Avalos, Campos, Chiu, Kim, Mar
Noes: 6 - Breed, Cohen, Farrell, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

140703 [Administrative Code - Health Service System Plans and Contribution Rates of Calendar Year 2015]

Sponsor: Farrell

Ordinance amending the Administrative Code, Chapter 16, Article XV, Part 1, by amending Section 16.703, regarding Board approval of Health Service System plans and contribution rates. (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140561 [Issuance of Revenue Bonds - On Lok Senior Health Services and On Lok Community Housing, Inc. - Not to Exceed $30,000,000]

Sponsor: Chiu

Resolution approving the issuance of revenue bonds by the Association of Bay Area Governments Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $30,000,000 to refinance various facilities owned and/or operated by On Lok Senior Health Services and On Lok Community Housing, Inc., in accordance with Internal Revenue Code, Section 147(f).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140570 [Issuance of Tax-Exempt Revenue Obligations - Presidio Hill School - Not to Exceed $9,350,000]

Sponsor: Farrell

Resolution approving the issuance of tax-exempt revenue obligations by the California Statewide Communities Development Authority for the Presidio Hill School in an aggregate principal amount not to exceed $9,350,000 to refinance various capital facilities owned and operated by Presidio Hill School, a California non-profit public benefit corporation, in accordance with Internal Revenue Code, Section 147(f).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140705 [Establishing Monthly Contribution Amount - Health Service Trust Fund]

Sponsor: Farrell

Resolution establishing the monthly contribution amount to the Health Service Trust Fund. (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140731 [Official Advertising - San Francisco Print Media, Co, commonly known as The Examiner, and The San Francisco Chronicle - FY2014-2015]

Resolution designating the Examiner and the San Francisco Chronicle to be the official newspapers of the City and County of San Francisco for all official advertising for FY2014-2015 and ratifying the Office of Contract Administration's extension of the previous advertising contract with the San Francisco Chronicle for July 2014. (Office of Contract Administration)

Supervisor Farrell, seconded by Supervisor Tang, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution designating San Francisco Print Media, Co., commonly known as The Examiner, and The San Francisco Chronicle to be the official newspapers of the City and County of San Francisco for all official advertising for FY2014-2015 and ratifying the Office of Contract Administration's extension of the previous advertising contract with the San Francisco Chronicle for July 2014. (Office of Contract Administration)

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140679 [Administrative Code - Temporary Severance of Rental Housing Services During Mandatory Seismic Retrofit]

Sponsors: Mayor; Chiu and Wiener

Ordinance amending Administrative Code, Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance," and adding Chapter 65A "Compensation, or Substitute Housing Service, for Tenants Affected by Temporary Severance of Specified Housing Services During Mandatory Seismic Work Required by Building Code, Chapter 34B," to address temporary severance of specified housing services during mandatory seismic retrofit required by City Building Code, Chapter 34B "Mandatory Earthquake Retrofit of Wood-Frame Buildings."

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140735 [Interim Zoning Controls - Office Conversion in Landmark Buildings in PDR-1-D and PDR-1-G Districts]

Sponsor: Cohen

Resolution imposing interim zoning controls requiring conditional use authorization for office conversion in landmark buildings in PDR-1-D (Production, Distribution, and Repair: Design) and PDR-1-G (Production, Distribution, and Repair: General) Districts for an 18-month period; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Chiu, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisors Mar introduced, welcomed, and presented a Certificate of Honor to Nancy Lim Yee of the Department of Public Health at the Chinatown Child Developmental Center in recognition of her 39 years of dedicated service to the City and County of San Francisco upon her retirement. Supervisors Chiu and Yee shared in this commendation.

COMMITTEE REPORTS

Recommendations of the Rules Committee

140507 [Charter Amendment - Retiree Health Benefits for Former Redevelopment Agency and Successor Agency Employees]

Sponsors: Cohen; Yee

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco, Sections A8.428 and A8.432, to provide retiree health care benefits to employees of the former Redevelopment Agency of the City and County of San Francisco or the Successor Agency to the Redevelopment Agency of the City and County of San Francisco who started working for the City and County of San Francisco without a break in employment, and to persons who are registered as domestic partners to retired employees under California law or the law of a state, city, or county outside California or who live in a jurisdiction outside California that does not recognize domestic partnerships but who have submitted the Health Services Declaration Partnership Form, at an election to be held on November 4, 2014.

Supervisor Kim, seconded by Supervisor Yee, moved that this Charter Amendment be CONTINUED to July 22, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140556 [Charter Amendment - Population-Based Adjustment to General Fund Appropriation to the Transportation Fund]

Sponsor: Wiener

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to adjust the required annual appropriation from the General Fund to the Transportation Fund annually to reflect increases in the population of San Francisco, subject to discontinuation by the Mayor if the voters enact a new general tax on vehicles registered to a San Francisco address, at an election to be held on November 4, 2014; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Kim, moved that this Charter Amendment be CONTINUED to July 22, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140752 [Appointment, Market and Octavia Community Advisory Committee - Joshua Marker]

Motion appointing Joshua Marker, term ending December 16, 2014, to the Market and Octavia Community Advisory Committee. (Rules Committee)

Motion No. M14-119

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140009 [Housing Code - Allowing the Storage of Items Other Than Automobiles in Private Garages of Residential Buildings]

Sponsor: Farrell

Ordinance amending the Housing Code to allow the storage of tenants' personal items other than automobiles in the garages of homes, apartment buildings, and residential hotels; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140235 [Administrative Code - Information from Project Sponsors Regarding Their Anti-Discriminatory Housing Policies]

Sponsors: Campos; Wiener, Kim, Farrell, Avalos, Mar and Cohen

Ordinance amending the Administrative Code to require the Planning Department to ask, and project sponsors to answer, on the application for specified residential and mixed-use projects, informational questions regarding their anti-discriminatory housing policies based on sexual orientation and gender identity; and to require an annual report from the Human Rights Commission on the data collected from such applications; and affirming the Planning Department's California Environmental Quality Act determination.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supevisor Farrell was noted absent at 4:42 p.m., and noted present at 5:20 p.m.
Supervisor Wiener was noted absent at 4:47 p.m., and noted present at 5:09 p.m.

PUBLIC COMMENT

Paulette Brown; expressed various concerns relating to human services and solving child homicides and violence in the community.
Rita Lark; expressed various concerns relating to the housing authority.
Male Speaker; expressed various concerns relating to the Ellis Act.
Christopher Dahl; expressed various concerns relating to the Libertarian Party.
Dan Choy; expressed various concerns relating to the potential closure of City College and post-war trauma.
Phelicia Jones (SEIU 1021); expressed various concerns relating to gentrification.
Sean Richards (Brothers Against Guns); expressed various concerns relating to violence in the community.
Mattie Scott; expressed various concerns relating to violence in the community.
Carletta Jackson-Lane, JD (Sojourner Truth Agency, Inc.); expressed various concerns relating to violence in the community.
Jason Valdez; expressed various concerns relating to funding for non-profits and violence in the community.
Franceso Espinoza (SEIU 1021); expressed various concerns relating to funding for non-profits and violence in the community.
Gail Barnfield; expressed various concerns relating to funding for non-profits.
Male Speaker; expressed various concerns relating to funding for non-profits.
Ariana Casanova (SEIU 1021); expressed various concerns relating to funding for non-profits.
Alice Kraft; expressed various concerns relating to a current project on Broadway.
Karen Huggins (Holly Courts Residential Council); expressed various concerns relating to the housing authority.
Female Speaker; expressed various concerns relating to compassionate care and medical cannabis.
Alan Hernandez; expressed various concerns relating to compassionate care and medical cannabis.
James Ward; expressed various concerns relating to compassionate care and medical cannabis.
Daisy Story; expressed various concerns relating to compassionate care and medical cannabis.
Michael Golden; expressed various concerns relating to compassionate care and medical cannabis.
Steven Crane; expressed various concerns relating to compassionate care and medical cannabis.
Greg Ledbetter; expressed various concerns relating to compassionate care and medical cannabis.
Paul Spizer; expressed various concerns relating to compassionate care and medical cannabis.
Michael Colon; expressed various concerns relating to compassionate care and medical cannabis.
John; expressed various concerns relating to compassionate care and medical cannabis.
Mary; expressed various concerns relating to compassionate care and medical cannabis.
Mark Trout; expressed various religious concerns.
Male Speaker; expressed various concerns relating to compassionate care and medical cannabis.
Dr. Espanola Jackson; expressed various concerns relating to gentrification.
Male Speaker; expressed various concerns relating to police protection in the Tenderloin.
Edmund Juizye Larry; expressed various concerns relating to violence in the community, associated retaliation, and medical cannabis.
Otto Duffy; expressed various concerns relating to crime in the Tenderloin.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140786 [Approval of a 180-Day Extension for Planning Commission Review of an Ordinance (File No. 131120) Establishing the Broadway Alcohol Restricted Use District]

Sponsor: Chiu

Resolution extending by 180-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 131120) amending the the Planning Code, by adding a new Section 789, to establish the Broadway Alcohol Restricted Use District on parcels with street frontage on Broadway, between Columbus Avenue and Montgomery Street; amending the Zoning Map, Sheet SU-02, to designate the Broadway Alcohol Restricted Use District; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

140787 [Supporting Senate Bill 396 (De León) - Repealing Portions of California Proposition 187]

Sponsors: Chiu; Kim and Mar

Resolution supporting Senate Bill 396, introduced by Senator De León, to repeal portions of California Proposition 187 that are unconstitutional, discriminatory, and unenforceable and have undermined the civil rights of immigrant communities in California.

Supervisors Kim and Mar requested to be added as co-sponsors.

ADOPTED

140788 [Healthcare Quality and Cost Transparency Requirement]

Sponsor: Farrell

Resolution requiring quality and cost transparency from healthcare vendors who contract with the Health Service System to provide health benefits to the City and County of San Francisco, the Unified School District of San Francisco, the Community College, and Superior Court employees, retirees, and their families.

ADOPTED

140763 [Final Map 7746 - 4317 21st Street]

Motion approving Final Map 7746, a 6 residential unit Condominium Project, located at 4317 21st Street, being a subdivision of Assessor's Block No. 2766, Lot No. 027, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-120

APPROVED

140764 [Final Map 7664 - 1747-1757 Larkin Street]

Motion approving Final Map 7664, a 5 residential unit and 1 commercial unit, mixed-use Condominium Project, located at 1747-1757 Larkin Street, being a subdivision of Assessor's Block No. 0597, Lot No. 001, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-121

APPROVED

140765 [Final Map 4690 - 520-530 Hampshire Street]

Motion approving Final Map 4690, an 11 residential unit and 12 commercial unit, mixed-use Condominium Project, located at 520-530 Hampshire Street, being a subdivision of Assessor's Block No. 4015, Lot No. 001, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-122

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Campos requested that File No. 140785 be severed so that it may be considered separately.

140785 [Urging the City and County of San Francisco to Commit Resources Towards Addressing the Needs of the Rising Number of Unaccompanied Minors Fleeing from Central America]

Sponsors: Campos; Mar, Kim, Yee and Avalos

Resolution urging the City and County of San Francisco to commit resources towards addressing the needs of the rising number of unaccompanied minors fleeing from Central America to mitigate the mounting international humanitarian crisis.

Supevisors Mar, Kim, Yee, and Avalos requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar requested that File No. 140789 be severed so that it may be considered separately.

140789 [Nancy Lim Yee Day - July 18, 2014]

Sponsors: Mar; Chiu and Yee

Resolution declaring July 18, 2014, as Nancy Lim Yee Day in the City and County of San Francisco, on the occasion of her retirement after 39 years of dedicated service in the Department of Public Health at the Chinatown Child Developmental Center.

Supervisor Mar, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 1, Line 20, by deleting 'SF Assocation for Retarded Citizens' and adding 'The Arc of San Francisco.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

140599 [Settlement of Lawsuit - Jay Korber - $4,072,519]

Ordinance authorizing settlement of the lawsuit filed by Jay Korber against the City and County of San Francisco for $4,072,519; the lawsuit was filed on April 12, 2013, in San Francisco Superior Court, Case No. CGC-13-530600; entitled Jay Korber v. City and County of San Francisco, et al. (City Attorney)

06/02/14; RECEIVED FROM DEPARTMENT.

06/10/14; RECEIVED AND ASSIGNED to Rules Committee.

07/15/14; SUBSTITUTED AND ASSIGNED to Rules Committee.

140760 [Settlement of Lawsuit - Rowena Seto - $225,000]

Ordinance authorizing settlement of the lawsuit filed by Rowena Seto against the City and County of San Francisco for $225,000; the lawsuit was filed on July 18, 2012, in San Francisco Superior Court, Case No. CPF-12-512350; entitled Rowena Seto v. City and County of San Francisco, et al. (City Attorney)

07/07/14; RECEIVED FROM DEPARTMENT.

07/15/14; RECEIVED AND ASSIGNED to Rules Committee.

140761 [Settlement of Lawsuit - Caramad Conley - $3,500,000]

Ordinance authorizing settlement of the lawsuit filed by Caramad Conley against the City and County of San Francisco for $3,500,000; the lawsuit was filed on January 27, 2012, in United States District Court, Case No. C12-00454; entitled Caramad Conley v. City and County of San Francisco and Prentice Earl Sanders. (City Attorney)

07/07/14; RECEIVED FROM DEPARTMENT.

07/15/14; RECEIVED AND ASSIGNED to Rules Committee.

140762 [Settlement of Lawsuit - Friends of Appleton-Wolford Libraries and Coalition for a Better North Beach Library - City to Waive Litigation Costs]

Ordinance authorizing settlement of the lawsuit filed by Friends of Appleton-Wolford Libraries and Coalition for a Better North Beach Library and Playground against the City and County of San Francisco; the lawsuit was filed on July 27, 2011, in San Francisco Superior Court, Case No. CPF-11-511469 (Court of Appeal Case No. A136409), entitled Friends of Appleton-Wolford Libraries, et al. v. City and County of San Francisco, et al.; material terms of said settlement are Petitioners' waiver of further appeal rights in exchange for the City's waiver of litigation costs. (City Attorney)

07/07/14; RECEIVED FROM DEPARTMENT.

07/15/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

140754 [Sublease and Property Management Agreement - John Stewart Company - Treasure and Yerba Buena Islands Market Rate Rental Housing - $632,806 Yearly Base Rent]

Resolution Approving a Sublease and Property Management Agreement for Treasure and Yerba Buena Islands Market Rate Rental Housing between the Treasure Island Development Authority and the John Stewart Company, with a yearly base rent of $632,806 for a seven-year term to commence following Board approval, with a three-year option to extend. (Treasure Island Development Authority)

07/01/14; RECEIVED FROM DEPARTMENT.

07/15/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140757 [Report of Assessment Costs - Building Code Enforcement Violations]

Resolution approving Report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. (Building Inspection Commission)

07/03/14; RECEIVED FROM DEPARTMENT.

07/15/14; RECEIVED AND ASSIGNED to Board of Supervisors.

140758 [Neutral Host License Agreement - New Cingular Wireless PCS, LLC - 1351 Third Street Public Safety Building]

Resolution authorizing a no-cost Neutral Host License Agreement for the Public Safety Building premises located at 1351 Third Street with New Cingular Wireless PCS, LLC, for a ten-year term to commence following Board approval. (Real Estate Department)

07/07/14; RECEIVED FROM DEPARTMENT.

07/15/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

07/15/14; TRANSFERRED to Budget and Finance Sub-Committee.

140759 [Mental Health Services Act 2014-2017 Integrated Plan]

Resolution adopting the Mental Health Services Act 2014-2017 Integrated Plan. (Public Health Department)

07/07/14; RECEIVED FROM DEPARTMENT.

07/15/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:23 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

JUL 25 2014

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, July 22, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

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ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Avalos was noted not present.

Supervisor Avalos Excused from Attendance

Supervisor Campos, seconded by Supervisor Mar, moved that Supervisor Avalos be excused from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Yee, moved to approve the Board Meeting Minutes of June 17, 2014. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the Resolution 'Concurring in the Continuation of the Revised Declaration of Local Emergency relating to the Rim Fire (Stanislaus National Forest Area)' was inadvertently omitted from the Board Agenda and will therefore be considered on the Imperative Agenda.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

140590 [Administrative Code - County Clerk's Fees]

Sponsor: Mayor

Ordinance amending the Administrative Code to adjust the fees for County Clerk services for FY2014-2015; to remove fees for obsolete services; and to authorize annual automatic adjustment of Municipal ID Card fees to reflect changes in the Consumer Price Index.
(Fiscal Impact)

FINALLY PASSED

140591 [Administrative Code - Eliminating Mayor's Office of Housing and Community Development Escrow Account Administration Fee]

Sponsor: Mayor

Ordinance amending the Administrative Code to eliminate the Mayor's Office of Housing and Community Development escrow account administration fee.
(Fiscal Impact)

FINALLY PASSED

140592 [Building Code - Temporary Fee Reduction]

Sponsor: Mayor

Ordinance amending the Building Code to reduce all fees for staff services by 7% for a 6-month period and affirming the Planning Department's determination under the California Environmental Quality Act.
(Fiscal Impact)

FINALLY PASSED

140593 [Planning Code - Fee Elimination]

Sponsors: Mayor; Tang

Ordinance amending the Planning Code to eliminate 4 fees, including the Installment Agreement Processing Fee, the Refund Processing Fee, the Fee for Information Analysis Request for Information Technology, and the Reactivation Fee for Closed Cases; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

FINALLY PASSED

140594 [Subdivision Code - Fee to Set Survey Monuments]

Sponsor: Mayor

Ordinance amending the Subdivision Code to adopt a fee to set survey monuments and affirming the Planning Department's determination under the California Environmental Quality Act.
(Fiscal Impact)

FINALLY PASSED

140623 [Administrative Code - Use of Art Enrichment Funds and Maintenance of Public Art]

Sponsor: Mayor

Ordinance amending the Administrative Code to define "art enrichment"; to allow aggregation of art enrichment funds for use on any City property rather than only the funding department's property; to allow the Arts Commission to reserve up to 10% of the art enrichment budget for maintenance and conservation; to allow art enrichment funds to be used exclusively for maintenance and conservation under limited circumstances; and to clarify references to the Arts Commission's jurisdiction over works of art consistent with the Charter; and making environmental findings.
(Fiscal Impact)

FINALLY PASSED

140624 [Neighborhood Beautification and Graffiti Clean-up Fund - Tax Designation Ceiling - Tax Year 2014]

Sponsor: Mayor

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2014.
(Fiscal Impact)

FINALLY PASSED

140627 [Building Code - Use of Repair and Demolition Fund for Telegraph Hill Stabilization]

Sponsors: Mayor; Chiu

Ordinance amending the Building Code to authorize use of the Repair and Demolition Fund specified in Building Code, Section 102A.13, to address costs associated with private property owner responsibility to stabilize Telegraph Hill, as part of the Rock Slope Improvement Project, and affirming the Planning Department's determination under the California Environmental Quality Act.
(Fiscal Impact)

FINALLY PASSED

140628 [Health Code - Patient Rates 2014-2016]

Sponsor: Mayor

Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2014, and making environmental findings.
(Fiscal Impact)

FINALLY PASSED

140640 [Appropriation - Department of War Memorial - $14,496,012 - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating an additional $14,496,012 for the Veterans Building Seismic Upgrade and Improvement Project of the Department of War Memorial for FY2014-2015, and placing the total appropriation of $14,496,012 on Controller's Reserve.
(Fiscal Impact)

FINALLY PASSED

140642 [Park Code - Annual Increase of West Harbor Berthing License Fees]

Sponsor: Mayor

Ordinance amending the Park Code to require the Controller to increase the berthing license fees for the West Harbor of the San Francisco Marina Small Craft Harbor each year by 3% or the annual increase in the Consumer Price Index, whichever is higher, until September 1, 2043; and making environmental findings.
(Fiscal Impact)

FINALLY PASSED

Recommendation of the Budget and Finance Sub-Committee

140703 [Administrative Code - Health Service System Plans and Contribution Rates of Calendar Year 2015]

Sponsor: Farrell

Ordinance amending the Administrative Code, Chapter 16, Article XV, Part 1, by amending Section 16.703, regarding Board approval of Health Service System plans and contribution rates.
(Fiscal Impact)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

140009 [Housing Code - Allowing the Storage of Items Other Than Automobiles in Private Garages of Residential Buildings]

Sponsor: Farrell

Ordinance amending the Housing Code to allow the storage of tenants' personal items other than automobiles in the garages of homes, apartment buildings, and residential hotels; and making environmental findings.

FINALLY PASSED

140235 [Administrative Code - Information from Project Sponsors Regarding Their Anti-Discriminatory Housing Policies]

Sponsors: Campos; Wiener, Kim, Farrell, Avalos, Mar and Cohen

Ordinance amending the Administrative Code to require the Planning Department to ask, and project sponsors to answer, on the application for specified residential and mixed-use projects, informational questions regarding their anti-discriminatory housing policies based on sexual orientation and gender identity; and to require an annual report from the Human Rights Commission on the data collected from such applications; and affirming the Planning Department's California Environmental Quality Act determination.

FINALLY PASSED

140679 [Administrative Code - Temporary Severance of Rental Housing Services During Mandatory Seismic Retrofit]

Sponsors: Mayor; Chiu and Wiener

Ordinance amending Administrative Code, Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance," and adding Chapter 65A "Compensation, or Substitute Housing Service, for Tenants Affected by Temporary Severance of Specified Housing Services During Mandatory Seismic Work Required by Building Code, Chapter 34B," to address temporary severance of specified housing services during mandatory seismic retrofit required by City Building Code, Chapter 34B "Mandatory Earthquake Retrofit of Wood-Frame Buildings."

FINALLY PASSED

140699 [Adopting California Environmental Quality Act Findings - San Francisco International Airport - Terminal 1 Program]

Resolution adopting California Environmental Quality Act Findings related to the Terminal 1 Program at San Francisco International Airport. (Airport Commission)

ADOPTED

Recommendation of the Rules Committee

140753 [Appointment, Park, Recreation and Open Space Advisory Committee - Maya Rodgers]

Motion appointing Maya Rodgers, term ending February 1, 2015, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M14-123

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

140619 [Annual Budget and Appropriation Ordinance for Selected Departments - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Annual Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for selected departments of the City and County of San Francisco as of June 2, 2014, for the FYs ending June 30, 2015, and June 30, 2016.
(Fiscal Impact)

Ordinance No. 146-14

FINALLY PASSED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140621 [Annual Salary Ordinance - FYs 2014-2015 and 2015-2016]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2015, and June 30, 2016, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.
(Fiscal Impact)

Ordinance No. 147-14

FINALLY PASSED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Recommendation of the Government Audit and Oversight Committee

140444 [Development Agreement - Schlage Lock Project - Visitacion Development, LLC]

Sponsors: Mayor; Cohen

Ordinance approving a Development Agreement between the City and County of San Francisco and Visitacion Development, LLC, for certain real property located in Visitacion Valley, bounded approximately to the north and west by McLaren Park and the Excelsior and Crocker Amazon Districts, to the east by the Caltrain tracks, and to the south by the San Francisco/San Mateo County line and the City of Brisbane; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56.
(Fiscal Impact)
(Economic Impact)

FINALLY PASSED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Recommendations of the Land Use and Economic Development Committee

140445 [Planning Code, Zoning Map - Visitation Valley/Schlage Lock Special Use District]

Sponsors: Mayor; Cohen

Ordinance amending the Planning Code, Section 249.45, to provide for use controls, including controls for formula retail uses, building standards, and procedural requirements, including noticing and community participation procedures, for applications for development, including design review and modifications, among other controls, in Zone 1 of the Schalge Lock/Visitation Valley Special Use District (also referred to as the Schlage Lock site); amending the Zoning Map by amending Sectional Maps ZN10 and HT10 to reflect the Visitacion Valley/Schlage Lock Special Use District; and making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140675 [General Plan Amendment - Visitation Valley/Schlage Lock Special Use District]

Ordinance amending the General Plan to amend Maps 1, 2, 4, and 5 of the Commerce and Industry Element, Map 6 of the Transportation Element, Maps 4 and 5 of the Urban Design Element, and the Land Use Index to implement the Visitation Valley/Schlage Lock Special Use District, which generally includes the properties bounded by Bayshore, Blanken and Tunnel Avenue to the San Francisco/San Mateo County line to the south, including the properties fronting Bayshore Boulevard from Arleta Avenue to the San Francisco/San Mateo County line to the south, and including the properties fronting Leland Avenue from Cora Street to Bayshore Boulevard; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

FINALLY PASSED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Recommendation of the Rules Committee

140507 [Charter Amendment - Retiree Health Benefits for Former Redevelopment Agency and Successor Agency Employees]

Sponsors: Cohen; Yee

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco, Sections A8.428 and A8.432, to provide retiree health care benefits to employees of the former Redevelopment Agency of the City and County of San Francisco or the Successor Agency to the Redevelopment Agency of the City and County of San Francisco who started working for the City and County of San Francisco before March 1, 2015, and after January 31, 2012, without a break in employment, and to persons who are registered as domestic partners to retired employees under the law of the state, city, or county in which they reside or who live in a jurisdiction that does not recognize domestic partnership but who have submitted the Health Service System Declaration of Domestic Partnership Form, at an election to be held on November 4, 2014.

ORDERED SUBMITTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Referred Without Recommendation from the Rules Committee

140556 [Charter Amendment - Population-Based Adjustment to General Fund Appropriation to the Transportation Fund]

Sponsors: Wiener; Chiu

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to adjust the required annual appropriation from the General Fund to the Transportation Fund annually to reflect increases in the population of San Francisco, subject to discontinuation by the Mayor if the voters enact a new general tax on vehicles registered to a San Francisco address, at an election to be held on November 4, 2014; and making environmental findings.

Supervisor Chiu requested to be added as a co-sponsor.

ORDERED SUBMITTED by the following vote:

Ayes: 6 - Breed, Campos, Chiu, Cohen, Kim, Wiener
Noes: 4 - Farrell, Mar, Tang, Yee .
Excused: 1 - Avalos

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140596 [Administrative Code - Leasing of Equipment]

Ordinance amending the Administrative Code to authorize the Department of Public Health to enter into operating leases for equipment. (Public Health Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140726 [De-Appropriation and Re-Appropriation Proceeds from Wastewater Revenue Bonds - North Shore to Channel Force Main Project and Amending Ordinance Nos. 201-09, 95-10, and 108-12 - $23,000,000 - FY2014-2015]

Sponsor: Mayor

Ordinance de-appropriating and re-appropriating $23,000,000 in Wastewater Revenue Bonds for the Wastewater Enterprises North Shore to Channel Force Main Project, placing $8,470,000 on Controller's reserve, subject to Public Utilities Commission and Board of Supervisors' approval, following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, receipt of proceeds of indebtedness, and amending adopted capital appropriation Ordinance Nos. 201-09, 95-10, and 108-12 in FY2014-2015.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140772 [Appropriation and De-Appropriation - Surplus Expenditures Supporting Increased Overtime Expenditures - FY2013-2014 - $653,283]

Sponsor: Mayor

Ordinance retroactively appropriating $653,283 to overtime and de-appropriating $653,283 in salaries in the Fire Department's Operating Budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11 in FY2013-2014.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140773 [Appropriation and De-Appropriation - Surplus Expenditures Supporting Increased Overtime Expenditures - FY2013-2014 - $76,242]

Sponsor: Mayor

Ordinance retroactively appropriating $76,242 to overtime and de-appropriating $76,242 consisting of $43,609 in salaries and $32,663 in contingency savings plan in the Department of Emergency Management's Operating Budget in order to support the Department's projected increases in overtime as required per Ordinance No.194-11 in FY2013-2014.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140408 [Emergency Contract - Amending Resolution No. 265-13 - Repair Public Utilities Commission Southeast Water Pollution Control Plant Digesters - Not to Exceed $14,545,427]

Resolution amending Resolution No. 265-13 to revise the scope of work for an emergency contract from six to five digesters at the Southeast Water Pollution Control Plant, and increase the contract not-to-exceed amount to $14,535,427. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140608 [Contract Amendment - URS Corporation - Engineering Support Services - $28,500,000]

Resolution authorizing the General Manager of the Public Utilities Commission to execute amendment No. 4 to an agreement with URS Corporation, increasing the length of the agreement by up to two years, nine months, until May 24, 2019, for a total duration of fifteen years and nine months, and increasing the estimated cumulative contract amount from $24,000,000 to $28,500,000 for engineering support services for the Water Enterprise Water System Improvement Program-funded Agreement No. CS-716, Calaveras Dam Replacement, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140732 [Accept In-Kind Gift - James R. Herman Cruise Terminal - Art Installation - $250,000]

Sponsors: Mayor; Chiu and Avalos

Resolution authorizing the Port of San Francisco to accept a gift of art referred to as the James R. Herman Tribute valued at $250,000 from the James R. Herman Memorial Committee for display at the new James R. Herman Cruise Terminal at Pier 27.

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140779 [Apply for, Accept, and Expend Grant - Active Transportation Program - $1,298,000]

Sponsor: Mayor

Resolution authorizing the filing of an application for funding assigned to the California Transportation Commission (CTC); filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC); committing any necessary matching funds; stating assurance to complete the projects; and authorizing the Department of Public Works to accept and expend $1,298,000 in Active Transportation Program grant funds awarded through CTC and/or MTC.

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140780 [Real Property Acquisition - 900 Innes Avenue - Not to Exceed $2,975,000]

Sponsor: Cohen

Resolution authorizing: 1) the acquisition of real property at 900 Innes Avenue (Lot Nos. 1-5 and 24, Assessor's Block No. 4605, Lot No. 10, Assessor's Block No. 4629A, Lot No. 2, Assessor's Block No. 4630, and Lot Nos. 1-3, 3A, 19 and 20, Assessor's Block No. 4646) from the Tenderloin Housing Clinic, Inc.; 2) the issuance of Commercial Paper (CP) Notes in an aggregate principal amount not to exceed $2,975,000; 3) the subsequent jurisdictional transfer of the Property to the Recreation and Park Department upon repayment of the CP Notes; and 4) finding the proposed transaction in conformance with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140782 [Conditional Jurisdictional Transfer of City Property - Francisco Reservoir - $9,900,000]

Sponsors: Farrell; Chiu, Breed, Campos, Tang, Wiener and Yee

Resolution approving the jurisdictional transfer of Assessor's Block No. 0046, Lot No. 001, consisting of 3.29 acres and 143,344 square feet, and a portion of Assessor's Block No. 0047, Lot No. 001, commonly known as Francisco Reservoir, and surrounding area currently under the jurisdiction of the San Francisco Public Utilities Commission (SFPUC), to the Recreation and Park Department (RPD) as to subject to the terms and conditions of a Memorandum of Understanding between SFPUC and RPD; approving the transfer price of $9,900,000; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140098 [Initiative Ordinance - Business and Tax Regulations Code - Tax on Sugar-Sweetened Beverages to Fund Food and Health Programs]

Sponsors: Mar, Wiener; Avalos, Cohen, Chiu and Campos

Motion ordering submitted to the voters at an election to be held on November 4, 2014, an Ordinance amending the Business and Tax Regulations Code by adding a new Article 8, imposing a tax of two cents per ounce on the distribution of sugar-sweetened beverages, to fund City-operated programs and City grants for active recreation and improving food access, health, and nutrition, and to fund San Francisco Unified School District physical education, after-school physical activity, health, or nutrition programs, and school lunch and other school nutrition programs.
(Economic Impact)

Motion No. M14-124

APPROVED by the following vote:

Ayes: 6 - Campos, Chiu, Cohen, Farrell, Mar, Wiener
Noes: 4 - Breed, Kim, Tang, Yee
Excused: 1 - Avalos

140728 [Appropriation - Proceeds from San Francisco Taxable General Obligation Bonds - Seismic Safety Loan Program - $24,000,000 - FY2014-2015]

Sponsors: Mayor; Chiu

Ordinance appropriating $24,000,000 of City and County of San Francisco Taxable General Obligation Bonds, Series 2014, for the Seismic Safety Loan Program in the Mayor's Office of Housing in FY2014-2015.
(Fiscal Impact)

Supervisor Chiu requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140727 [General Obligation Bonds - Seismic Safety Loan Program - Not to Exceed $24,000,000]

Sponsors: Mayor; Chiu

Resolution authorizing and directing the sale of not to exceed $24,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2014C in one or more series; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale or negotiated sale; approving the forms of official notice of sale, a notice of intention to sell bonds, and a bond purchase contract; directing the publication of the notice of intention to sell bonds in the event of a competitive sale; authorizing the selection of underwriters in the event of a negotiated sale; approving the form of the preliminary official statement and authorizing the execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.
(Fiscal Impact)

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140729 [Lease Agreement - Historic Buildings at 400-600 20th Street - Orton Development, Inc. - Historic Pier 70, LLC]

Sponsors: Mayor; Cohen

Resolution approving and authorizing a lease for the historic buildings having an address at 400-600 20th Street east of Illinois Streets at Pier 70 between the Port Commission and Orton Development, Inc., or its affiliate, Historic Pier 70, LLC, a California limited liability company, for a term of 66 years to commence following Board approval.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140749 [License Agreement - Pacific Gas and Electric Company - Embarcadero-Potrero 230kV Transmission Project - Initial Term License Fee of $15,275,205.35]

Resolution approving License No. 15762 between the Port Commission and Pacific Gas and Electric Company for the ZA-1 Embarcadero-Potrero 230kV Transmission Project for approximately 435,600 square feet of submerged land between Pier 28½ and the 23rd Street, 52,272 square feet of underground access for horizontal directional drilling, and 21,120 square feet of land along 23rd Street with an Initial Term License Fee of $15,275,205.35 for a 40 year term, to commence following Board approval, with a 26 year option. (Port)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140750 [Option Agreement - Pacific Gas and Electric Company - Purchase the Hoedown Yard - Illinois and 22nd Streets - $8,283,726]

Resolution approving an option agreement to purchase the Hoedown Yard at the northeast corner of Illinois and 22nd Streets from Pacific Gas and Electric Company for $63.37 per square foot or approximately $8,283,726. (Port)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Recommendations of the Government Audit and Oversight Committee

140455 [Administrative Code - Cancer Presumption for Fire and Police Retirement Benefits]

Sponsors: Chiu; Wiener, Breed, Farrell, Cohen and Campos

Ordinance amending the Administrative Code to create a cancer presumption for firefighter and police officer industrial disability and death as a result of duty retirement benefits.
(Fiscal Impact)

Supervisors Farrell, Cohen, and Campos requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140734 [Assessment Ballots for City Parcels - Lower Polk Community Benefit District]

Sponsor: Chiu

Resolution authorizing the Mayor, or his designees, to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco, as the owner of three parcels of real property over which the Board of Supervisors has jurisdiction, that would be subject to assessment in the proposed property and business improvement district to be the Lower Polk Community Benefit District for an election to be held on July 29, 2014.

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Recommendations of the Land Use and Economic Development Committee

140284 [Building Code - Vacant or Abandoned Commercial Storefronts and Registration Fee]

Sponsors: Tang; Chiu, Yee and Mar

Ordinance amending the Building Code to establish a procedure for maintaining and registering vacant or abandoned commercial storefronts, including imposition of a registration fee.

Supevisors Chiu, Yee, and Mar requested to be added as co-sponsors.

Supervisor Tang, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED on Page 3, Line 16, by adding 'unless the Department, in its sole discretion, determines that the owner needs additional time to complete the repair, rehabilitation, or construction of the Commercial Storefront.' The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140700 [Modification of Design-Build Requirements - Airport's Terminal 1 Center Renovation and the Boarding Area B Reconstruction Projects]

Ordinance modifying or waiving certain required contracting procedures in the Administrative Code, as applied to the design-build of two Airport projects in the Terminal 1 Program (the Terminal 1 Center Renovation and the Boarding Area B Reconstruction Projects). (Airport Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Recommendations of the Rules Committee

140692 [Appointment, Entertainment Commission - Liam Frost]

Motion approving the Mayor's nomination of Liam Frost to the Entertainment Commission, for a term ending July 1, 2018.
(Charter, Section 4.117, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 10, 2014.)

Motion No. M14-125

APPROVED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140693 [Reappointment, Board of Appeals - Ann Blumlein Lazarus]

Motion approving the Mayor's reappointment of Ann Blumlein Lazarus to the Board of Appeals, for a term ending July 1, 2018.
(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 10, 2014.)

Motion No. M14-126

APPROVED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140751 [Appointment, Entertainment Commission - Steven Lee]

Motion appointing Steven Lee, term ending July 1, 2018, to the Entertainment Commission. (Rules Committee)

Motion No. M14-127

APPROVED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Mar, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Phimy Truong, Director, Youth Commission, in recognition of her accomplishments upon her departure from the City and County of San Francisco. Supervisors Mar, Kim, Chiu, and Cohen shared in this commendation.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140808 [Hearing - Interim Moratorium on Institutional Change of Use in a Portion of the University Mound Neighborhood]

Hearing on the Urgency Ordinance approving an interim zoning moratorium on institutional changes of use in a portion of the University Mound neighborhood generally bounded by Highway 280 on the north, Wayland Street on the south, University Street on the east, and Cambridge Street on the west, for 45 days and making required findings, including environmental findings, and findings of consistency with the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 140809. Supervisor Campos provided an overview to the proposed interim moratorium. Patrick Monnette-Shaw; Dionne Roberts; Sandra Parker; Theresa Flandrick; Thomas Pugh; Jacalyn Morri; Isaac Taggert; Peter Garindo; Patricia Cardena; Tony Robles; Female Speaker; Deborah Gerson; Tom Gilberty; Michael Petrelis; Edmund Juizye; spoke in support of the interim moratorium. John Sedllander; spoke in opposition to the interim moratorium. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Privilege of the floor was granted unanimously to Alice Parker who provided some closing remarks.

HEARD AND FILED

Committee of the Whole Adjourn and Report

140809 [Zoning - Interim Moratorium on Change of Institutional Use in a Portion of the University Mound Neighborhood]

Sponsors: Campos; Mar and Avalos

Urgency Ordinance approving an interim zoning moratorium on changes of institutional use in a portion of the University Mound neighborhood bounded by Highway 280 on the north, Wayland Street on the south, University Street on the east, and Cambridge Street on the west, for 45 days, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Supervisors Mar and Avalos requested to be added as co-sponsors.

FINALLY PASSED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

COMMITTEE REPORTS

Recommendations of the Neighborhood Services and Safety Committee

130650 [Administrative Code - Home Detention and Electronic Monitoring Program]

Ordinance amending the Administrative Code to expand the category of jail inmates eligible for the Home Detention Program; and authorizing the Sheriff to implement an Electronic Monitoring Program to pretrial detainees being held in lieu of bail. (Sheriff)

Privilege of the floor was granted unanimously to Mark Nicco (Sheriff's Department) and Jason Elliott (Mayor's Office) and Ross Mirkarimi, Sheriff, who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be CONTINUED ON FIRST READING to September 9, 2014. The motion FAILED by the following vote:

Ayes: 5 - Campos, Kim, Mar, Tang, Yee
Noes: 5 - Breed, Chiu, Cohen, Farrell, Wiener
Excused: 1 - Avalos

Supervisor Breed made a motion to Terminate Debate/Call the Question, seconded Supervisor Cohen. The motion failed due to lack of a second required mover pursuant to Board Rule 5.33.

Privilege of the floor was granted unanimously to Greg Suhr, Police Chief, who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Cohen, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140054 [Liquor License - 365-11th Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Vladimir Cood for BuzzWorks, Inc., dba SF:BuzzWorks:SOMA, located at 365-11th Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140183 [Liquor License - 854 Geary Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Miriam Lipton for 854 Geary, LLC, dba Tender, located at 854 Geary Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140338 [Liquor License Transfer - 1 Jefferson Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 1541 Polk Street to 1 Jefferson Street (District 3), to John Kevlin for Garfield Beach CVS, LCC, and Longs Drug Stores California, LLC, dba CVS, will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Recommendations of the Rules Committee

140599 [Settlement of Lawsuit - Jay Korber - $4,072,519]

Ordinance authorizing settlement of the lawsuit filed by Jay Korber against the City and County of San Francisco for $4,072,519; the lawsuit was filed on April 12, 2013, in San Francisco Superior Court, Case No. CGC-13-530600; entitled Jay Korber v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140664 [Settlement of Lawsuit - Yerba Buena Consortium, LLP - City to Provide Pedestrian Improvements]

Ordinance authorizing settlement of the lawsuit filed by Yerba Buena Consortium, LLP, and Tenants and Owners Development Corporation against the City and County of San Francisco; the lawsuit was filed on August 19, 2013, in Sacramento Superior Court, Case No. 34-2013-80001611; entitled Yerba Buena Consortium, LLP, et al. v. City and County of San Francisco, et al.; material terms of said settlement are installing “no bicycle riding on sidewalk” signs in Yerba Buena area, widening the sidewalk at corner of 4th and Mission Streets, applying for funding to install a pedestrian crosswalk at Folsom and Mabini Streets, convening a Sidewalk Management Workgroup, drafting a Sidewalk Management Plan, and providing special notice for sidewalk table permits. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140665 [Settlement of Lawsuit - Lee Ann Crocker - $45,000]

Ordinance authorizing settlement of the lawsuit filed by Lee Ann Crocker against the City and County of San Francisco for $45,000; the lawsuit was filed on May 21, 2013, in San Francisco Superior Court, Case No. CGC-13-531600; entitled Lee Ann Crocker v. City and County of San Francisco, Does 1 to 10. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140666 [Settlement of Lawsuit - Siobhan McAuliffe - $250,000]

Ordinance authorizing settlement of the lawsuit filed by Siobhan McAuliffe against the City and County of San Francisco for $250,000; the lawsuit was filed on January 5, 2012, in United States District Court for the Northern District of California, Case No. CV-12-00071 CRB, and then re-filed on September 20, 2012, in San Francisco Superior Court, Case No. 12-524514; entitled Siobhan McAuliffe v. City & County of San Francisco. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140760 [Settlement of Lawsuit - Rowena Seto - $225,000]

Ordinance authorizing settlement of the lawsuit filed by Rowena Seto against the City and County of San Francisco for $225,000; the lawsuit was filed on July 18, 2012, in San Francisco Superior Court, Case No. CPF-12-512350; entitled Rowena Seto v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Supervisor Breed Excused from Voting

Supervisor Yee, seconded by Supervisor Mar, moved that Supervisor Breed be excused from voting on File No. 140761. The motion carried by the following vote:

Ayes: 9 - Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 2 - Avalos, Breed

140761 [Settlement of Lawsuit - Caramad Conley - $3,500,000]

Ordinance authorizing settlement of the lawsuit filed by Caramad Conley against the City and County of San Francisco for $3,500,000; the lawsuit was filed on January 27, 2012, in United States District Court, Case No. C12-00454; entitled Caramad Conley v. City and County of San Francisco and Prentice Earl Sanders. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener
Excused: 2 - Avalos, Breed

140762 [Settlement of Lawsuit - Friends of Appleton-Wolford Libraries and Coalition for a Better North Beach Library - City to Waive Litigation Costs]

Ordinance authorizing settlement of the lawsuit filed by Friends of Appleton-Wolford Libraries and Coalition for a Better North Beach Library and Playground against the City and County of San Francisco; the lawsuit was filed on July 27, 2011, in San Francisco Superior Court, Case No. CPF-11-511469 (Court of Appeal Case No. A136409), entitled Friends of Appleton-Wolford Libraries, et al. v. City and County of San Francisco, et al.; material terms of said settlement are Petitioners' waiver of further appeal rights in exchange for the City's waiver of litigation costs. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140672 [Settlement of Claims - The Regents of the University of California - $580,631.86]

Resolution approving the settlement of the unlitigated claims filed by The Regents of the University of California against the City and County of San Francisco for $580,631.86; claims were filed on December 15, 2010, and June 24, 2013. (City Attorney)
(Supervisor Campos dissented in committee.)

ADOPTED by the following vote:

Ayes: 9 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Campos
Excused: 1 - Avalos

140673 [Settlement of Claim - The Wharton School of the University of Pennsylvania - $66,217.67]

Resolution approving the settlement of the unlitigated claim filed by The Wharton School of the University of Pennsylvania against the City and County of San Francisco for $66,217.67; claim was filed on March 13, 2013. (City Attorney)

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Recommendation of the Land Use and Economic Development Committee

140702 [Administrative Code - Urban Agriculture Incentive Zones Act Program and Procedures]

Sponsors: Chiu; Cohen

Ordinance amending the Administrative Code, by adding Chapter 53A, creating local procedures to implement the Urban Agriculture Incentive Zones Act, including establishing the City's Urban Agriculture Incentive Zone; and making environmental findings.

Supervisor Mar requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Christopher Dahl; expressed various concerns relating to lies and untruths and running of red lights.
Darcie Luce; spoke in support of proposed legislation relating to protection of the San Francisco Estuary.
Male Speaker; spoke in support of proposed legislation relating to cost of doing business.
Tom Gilberty; expressed various concerns relating to Muni elevators and experience of operators and management.
Male Speaker; expressed various concerns relating to homelessness and veterans.
Edmund Juizye; expressed various concerns.
Male Speaker; expressed various concerns relating to tenants rights.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140824 [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance (File No.140381) Regulating Short-Term Residential Rentals and Establishing an Application Fee]

Sponsor: Chiu

Resolution extending by 60-days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No.140381) amending the Planning Code, by revising Sections 102.7, 102.13, 790.88, and 890.88, and amending the Administrative Code, by revising Sections 37.9(a), 41A.4, 41A.5, and 41A.6, and amending various other Code Sections to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Department of Building Inspection, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; to clarify that short-term residential rentals shall not change a unit's type as residential; and, making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

140825 [Urging an End to the Ban on Blood Donations by Gay and Bisexual Men]

Sponsors: Wiener; Campos and Chiu

Resolution urging the United States Food and Drug Administration to end the federal ban on blood donation by gay and bisexual men.

ADOPTED

140755 [Committee of the Whole - Report of Assessment Costs for Building Code Enforcement Violations]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 29, 2014, at 3:00 p.m., to hold a public hearing on a Resolution approving the Report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. (Clerk of the Board)

Motion No. M14-129

APPROVED

140796 [Final Map 7760 - 1501 Filbert Street]

Motion approving Final Map 7760, a 27 residential unit and 3 commercial unit, mixed-use condominium project, located at 1501 Filbert Street, being a subdivision of Assessor's Block No. 0527, Lot No. 051, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-130

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 140807 be severed so that it may be considered separately.

140807 [Committee of the Whole - Zoning - Interim Moratorium on Institutional Change of Use in a Portion of the University Mound Neighborhood - July 22, 2014]

Sponsor: Campos

Motion scheduling the Board to sit as a Committee of the Whole on July 22, 2014, at 3 p.m., to hold a public hearing on the Urgency Ordinance approving an interim zoning moratorium on institutional changes of use in a portion of the University Mound neighborhood generally bounded by Highway 280 on the north, Wayland Street on the south, University Street on the east, and Cambridge Street on the west, for 45 days and making required findings, including environmental findings, and findings of consistency with the eight priority policies of Planning Code, Section 101.1.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 140807. Male Speaker; spoke neither in support nor opposition to the matter. There were no other speakers. The President declared public comment closed.

Motion No. M14-128

APPROVED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Supervisor Campos requested that File No. 140822 be severed so that it may be considered separately.

140822 [Intent to Prioritize Funding a Cost of Doing Business Supplemental Appropriation]

Sponsors: Campos; Mar, Yee, Avalos and Cohen

Resolution to prioritize approval of a supplemental appropriation up to the amount of $3,400,000 during FY2014-2015 to fund a cost of doing business allocation for non-profit agencies that contract with the City and County of San Francisco.

Supervisor Campos, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to July 29, 2014. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Supervisor Chiu requested that File Nos. 140823 and 140826 be severed so that they may be considered separately.

140823 [Urging Protection of the San Francisco Bay-Delta Estuary]

Sponsors: Chiu; Mar

Resolution urging the on-going Bay-Delta planning processes of the Delta Stewardship Council, the Bay Delta Conservation Plan, and the State Water Resources Control Board, and protection of the health of the San Francisco Bay-Delta Estuary.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140826 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 4, 2014, Consolidated General Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2014, Consolidated General Election. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED AS AMENDED to July 29, 2014. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

IMPERATIVE AGENDA

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Tang, seconded by Supervisor Cohen, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Tang, seconded by Supervisor Cohen, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

140849 [Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to File No. 140849. Edmund Juizye; spoke neither in support nor opposition to the matter. There were no other speakers. The President declared public comment closed.

Motion No. M14-131

APPROVED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Avalos

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

140798 [Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]

Ordinance amending the Business and Tax Regulations Code by: 1) revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; 2) clarifying penalty and interest provisions; 3) clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; 4) clarifying when annual adjustments must be made to the business registration fee; 5) clarifying the basis of the business registration fee; and 6) deleting obsolete registration provisions. (Treasurer-Tax Collector)

07/11/14; RECEIVED FROM DEPARTMENT.

07/22/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/21/2014.

PROPOSED RESOLUTION

140799 [Contract Approval - Keefe Commissary Network, LLC - Guaranteed Annual Minimum Income $590,000]

Resolution approving a contract for operating the Sheriff's Jail Commissary and Inmate Trust Fund Accounting & Management System, between Keefe Commissary Network, LLC., and the City and County of San Francisco, acting by and through its Sheriff's Department for a three-year term beginning September 1, 2014, and ending August 31, 2017, and two one-year options to extend, exercisable by the Sherriff's Department with a guaranteed annual minimum income of $590,000. (Sheriff)

07/14/14; RECEIVED FROM DEPARTMENT.

07/22/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:08 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

AUG -1 2014

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Tuesday, July 29, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Kim, moved to approve the Board Meeting Minutes of June 24, 2014, and the Special Meeting Minutes at the Budget and Finance Committee Meetings of June 23, 2014, and June 25, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

130266 [Street Name Change to Dr. Tom Waddell Place]

Sponsors: Kim; Wiener, Campos, Avalos and Mar

Resolution changing the name of Lech Walesa Street in the Civic Center area to "Dr. Tom Waddell Place," in recognition of Dr. Tom Waddell's contributions to the City and County of San Francisco.

ADOPTED

140656 [Resolution of Intent - Street Vacation - McCoppin Hub City Plaza Project - McCoppin Street]

Sponsors: Kim; Wiener

Resolution declaring the intention of the Board of Supervisors to order the vacation of a portion of McCoppin Street west of Valencia Street that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block No. 3503, Lot No. 003 to the north, and Assessor's Block No. 3502, Lot No. 113 to the south, for the purposes of the McCoppin Hub City Plaza Project; and setting a hearing date for all persons interested in the proposed vacation of said street area.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

140596 [Administrative Code - Leasing of Equipment]

Ordinance amending the Administrative Code to authorize the Department of Public Health to enter into operating leases for equipment. (Public Health Department)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140726 [De-Appropriation and Re-Appropriation Proceeds from Wastewater Revenue Bonds - North Shore to Channel Force Main Project and Amending Ordinance Nos. 201-09, 95-10, and 108-12 - $23,000,000 - FY2014-2015]

Sponsor: Mayor

Ordinance de-appropriating and re-appropriating $23,000,000 in Wastewater Revenue Bonds for the Wastewater Enterprises North Shore to Channel Force Main Project, placing $8,470,000 on Controller's reserve, subject to Public Utilities Commission and Board of Supervisors' approval, following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, receipt of proceeds of indebtedness, and amending adopted capital appropriation Ordinance Nos. 201-09, 95-10, and 108-12 in FY2014-2015.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140772 [Appropriation and De-Appropriation - Surplus Expenditures Supporting Increased Overtime Expenditures - FY2013-2014 - $653,283]

Sponsor: Mayor

Ordinance retroactively appropriating $653,283 to overtime and de-appropriating $653,283 in salaries in the Fire Department's Operating Budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11 in FY2013-2014.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140773 [Appropriation and De-Appropriation - Surplus Expenditures Supporting Increased Overtime Expenditures - FY2013-2014 - $76,242]

Sponsor: Mayor

Ordinance retroactively appropriating $76,242 to overtime and de-appropriating $76,242 consisting of $43,609 in salaries and $32,663 in contingency savings plan in the Department of Emergency Management's Operating Budget in order to support the Department's projected increases in overtime as required per Ordinance No.194-11 in FY2013-2014.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140728 [Appropriation - Proceeds from San Francisco Taxable General Obligation Bonds - Seismic Safety Loan Program - $24,000,000 - FY2014-2015]

Sponsors: Mayor; Chiu

Ordinance appropriating $24,000,000 of City and County of San Francisco Taxable General Obligation Bonds, Series 2014, for the Seismic Safety Loan Program in the Mayor's Office of Housing in FY2014-2015.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

140455 [Administrative Code - Cancer Presumption for Fire and Police Retirement Benefits]

Sponsors: Chiu; Wiener, Breed, Farrell, Cohen and Campos

Ordinance amending the Administrative Code to create a cancer presumption for firefighter and police officer industrial disability and death as a result of duty retirement benefits.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140284 [Building Code - Vacant or Abandoned Commercial Storefronts and Registration Fee]

Sponsors: Tang; Chiu, Yee and Mar

Ordinance amending the Building Code to establish a procedure for maintaining and registering vacant or abandoned commercial storefronts, including imposition of a registration fee.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140700 [Modification of Design-Build Requirements - Airport's Terminal 1 Center Renovation and the Boarding Area B Reconstruction Projects]

Ordinance modifying or waiving certain required contracting procedures in the Administrative Code, as applied to the design-build of two Airport projects in the Terminal 1 Program (the Terminal 1 Center Renovation and the Boarding Area B Reconstruction Projects). (Airport Commission)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140702 [Administrative Code - Urban Agriculture Incentive Zones Act Program and Procedures]

Sponsors: Chiu; Cohen and Mar

Ordinance amending the Administrative Code, by adding Chapter 53A, creating local procedures to implement the Urban Agriculture Incentive Zones Act, including establishing the City's Urban Agriculture Incentive Zone; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

140599 [Settlement of Lawsuit - Jay Korber - $4,072,519]

Ordinance authorizing settlement of the lawsuit filed by Jay Korber against the City and County of San Francisco for $4,072,519; the lawsuit was filed on April 12, 2013, in San Francisco Superior Court, Case No. CGC-13-530600; entitled Jay Korber v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140664 [Settlement of Lawsuit - Yerba Buena Consortium, LLP - City to Provide Pedestrian Improvements]

Ordinance authorizing settlement of the lawsuit filed by Yerba Buena Consortium, LLP, and Tenants and Owners Development Corporation against the City and County of San Francisco; the lawsuit was filed on August 19, 2013, in Sacramento Superior Court, Case No. 34-2013-80001611; entitled Yerba Buena Consortium, LLP, et al. v. City and County of San Francisco, et al.; material terms of said settlement are installing "no bicycle riding on sidewalk" signs in Yerba Buena area, widening the sidewalk at corner of 4th and Mission Streets, applying for funding to install a pedestrian crosswalk at Folsom and Mabini Streets, convening a Sidewalk Management Workgroup, drafting a Sidewalk Management Plan, and providing special notice for sidewalk table permits. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140665 [Settlement of Lawsuit - Lee Ann Crocker - $45,000]

Ordinance authorizing settlement of the lawsuit filed by Lee Ann Crocker against the City and County of San Francisco for $45,000; the lawsuit was filed on May 21, 2013, in San Francisco Superior Court, Case No. CGC-13-531600; entitled Lee Ann Crocker v. City and County of San Francisco, Does 1 to 10. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140666 [Settlement of Lawsuit - Siobhan McAuliffe - $250,000]

Ordinance authorizing settlement of the lawsuit filed by Siobhan McAuliffe against the City and County of San Francisco for $250,000; the lawsuit was filed on January 5, 2012, in United States District Court for the Northern District of California, Case No. CV-12-00071 CRB, and then re-filed on September 20, 2012, in San Francisco Superior Court, Case No. 12-524514; entitled Siobhan McAuliffe v. City & County of San Francisco. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140760 [Settlement of Lawsuit - Rowena Seto - $225,000]

Ordinance authorizing settlement of the lawsuit filed by Rowena Seto against the City and County of San Francisco for $225,000; the lawsuit was filed on July 18, 2012, in San Francisco Superior Court, Case No. CPF-12-512350; entitled Rowena Seto v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Breed Excused from Voting

Supervisor Mar, seconded by Supervisor Cohen, moved that Supervisor Breed be excused from voting on File No. 140761. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

140761 [Settlement of Lawsuit - Caramad Conley - $3,500,000]

Ordinance authorizing settlement of the lawsuit filed by Caramad Conley against the City and County of San Francisco for $3,500,000; the lawsuit was filed on January 27, 2012, in United States District Court, Case No. C12-00454; entitled Caramad Conley v. City and County of San Francisco and Prentice Earl Sanders. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener
Excused: 1 - Breed

140762 [Settlement of Lawsuit - Friends of Appleton-Wolford Libraries and Coalition for a Better North Beach Library - City to Waive Litigation Costs]

Ordinance authorizing settlement of the lawsuit filed by Friends of Appleton-Wolford Libraries and Coalition for a Better North Beach Library and Playground against the City and County of San Francisco; the lawsuit was filed on July 27, 2011, in San Francisco Superior Court, Case No. CPF-11-511469 (Court of Appeal Case No. A136409), entitled Friends of Appleton-Wolford Libraries, et al. v. City and County of San Francisco, et al.; material terms of said settlement are Petitioners' waiver of further appeal rights in exchange for the City's waiver of litigation costs. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

140774 [Police Code - Street Artist Certificate Fee Waivers for Honorably Discharged Veterans]

Sponsor: Mayor

Ordinance amending the Police Code to require the Director of Cultural Affairs, or his or her designee, to waive Street Artist Certificate fees for honorably discharged veterans and to grant refunds to honorably discharged veterans who file a refund claim on or before July 1, 2015, for any fees collected between January 1, 2009, and July 1, 2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140801 [Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds of $106,095,000 - FY2014-2015]

Sponsors: Mayor; Chiu

Ordinance appropriating $106,095,000 of the 2014 Series Earthquake Safety and Emergency Response (ESER 2014) General Obligation Bond Proceeds to the Department of Public Works in FY2014-2015 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140802 [Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds of $57,840,000 - FY2014-2015]

Sponsors: Mayor; Chiu

Ordinance appropriating $57,840,000 of the 2014 Series Earthquake Safety and Emergency Response (ESER 2010) General Obligation Bond Proceeds to the Department of Public Works in FY2014-2015 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140011 [Accept and Expend Grant - McLaren Bike Park Project, Phase 1 - $249,835]

Sponsor: Avalos

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of $249,835 from the California Department of Parks and Recreation's Land and Water Conservation Fund to support the development of Phase 1 of the McLaren Bike Park Project for the period of October 1, 2013, through June 30, 2016.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140451 [Accept and Expend Grant - Golden Gate Park Community Garden - EcoMedia - $100,000]

Sponsor: Mar

Resolution authorizing the Recreation and Park Department to accept and expend a grant of $100,000 from Yellow Pages, made possible by a partnership with EcoMedia, to support the construction of the Vertical Garden component at the Golden Gate Park Community Garden, for the period of August 1, 2013, through November 30, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140655 [Contract Approval - Brookville Equipment Corporation - Rehabilitation of 16 President's Conference Committee Historic Streetcars - Not to Exceed $34,482,428]

Sponsor: Wiener

Resolution approving a contract with Brookville Equipment Corporation for the rehabilitation of 16 President's Conference Committee Historic Streetcars and related tools, training, and spare parts in an amount not to exceed $34,482,428 and for a term not to exceed six years, to commence following Board approval.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140670 [Contract Amendment - PGH Wong Engineering, Inc. - Construction Management Services - Airport Terminal 3 Project - Not to Exceed $13,700,000]

Resolution approving Amendment No. 4 to Airport Contract 8974.9, Construction Management for Terminal 3, Boarding Area E Refurbishment Project between PGH Wong Engineering, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $12,000,000 to commence following Board approval for term ending June 30, 2015, pursuant to Charter, Section 9.118(b); and authorizing the Airport Director to negotiate and execute, with Airport Commission approval, further amendments not to exceed $13,700,000 for a term end date no later than February 1, 2017. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140671 [Contract Amendment - Parsons Brinckerhoff, Inc. - Runway Safety Area Program - Not to Exceed $14,700,000]

Resolution approving Modification No. 3 to Airport Contract 9230.9, Construction Management Support Services for the Runway Safety Area Program between Parsons Brinckerhoff, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $14,700,000 to commence following Board approval with a contract end date of no later than June 30, 2015, pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140682 [Apply for Funding - Municipal Transportation Commission - Active Transportation Program - Up to $990,000]

Sponsors: Mayor; Mar

Resolution authorizing the Department of Public Health to submit an application to the Metropolitan Transportation Commission for up to $990,000 in the Active Transportation Program.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140701 [Lease of Real Property - Choo Laguna, LLC - 258A Laguna Honda Boulevard - Initial Monthly Rent $3,500]

Resolution retroactively authorizing the lease of real property for five years, for approximately 1,800 square feet of space at 258A Laguna Honda Boulevard, with Choo Laguna, LLC, for use by the Office of the Public Defender at the initial monthly rent of $3,500 from estimated commencement date of July 1, 2014, through June 30, 2019.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140743 [Contract Amendment - Edgewood Center for Children and Families - Not to Exceed $36,958,528]

Resolution approving an amendment to the agreement between the Department of Public Health and Edgewood Center for Children and Families to provide mental health services for children, youth, and families, increasing the total not to exceed contract amount from $29,109,089 by $7,849,439 for a total contract amount of $36,958,528 for a five and one-half year term of July 1, 2010, through December 31, 2015. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140744 [Contract Amendments - Richmond Area Multi Services, Inc. - $42,506,514]

Resolution approving amendments to two contracts between the Department of Public Health and Richmond Area Multi Services, Inc., to provide behavioral health services to: 1) children, youth, and families increasing the total contract amount to $19,904,452; and 2) adults, increasing the total contract amount to $22,602,062 for a total value of $42,506,514 for the term of July 1, 2010, through December 31, 2015. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140745 [Contract Amendment - HealthRIGHT360 - Outpatient and Residential Mental Health and Substance Abuse Treatment Services - Not to Exceed $64,562,403]

Resolution approving an amendment to the contract between the Department of Public Health and HealthRIGHT360 to provide outpatient and residential mental health and substance abuse treatment services to the residents of San Francisco, increasing the total contract amount of $42,477,760 by $22,084,643 for a total contract amount of $64,562,403 for a five and one-half year term of July 1, 2010, through December 31, 2015. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140746 [Contract Amendment - MedImpact Healthcare Systems, Inc. - Not to Exceed $22,134,625]

Resolution approving an amendment to the contract between the Department of Public Health and the MedImpact Healthcare Systems, Inc., to provide third party pharmacy administration services and extend the contract term through December 31, 2015, for an amount not to exceed $22,134,625. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140748 [Contract Amendment - HealthRIGHT360 - Behavioral Health Services and Primary Care Programs - $62,797,796]

Resolution approving an amendment to the contract between the Department of Public Health and HealthRIGHT360 for fiscal intermediary services for Behavioral Health Services and Primary Care Programs, extending the term by four years, from January 1, 2014, through December 31, 2014, to January 1, 2014, through December 31, 2018, and increasing the total contract amount of $9,700,495 by $53,097,301 for a total contract amount of $62,797,796. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140758 [Neutral Host License Agreement - New Cingular Wireless PCS, LLC - 1351 Third Street Public Safety Building]

Resolution authorizing a no-cost Neutral Host License Agreement for the Public Safety Building premises located at 1351 Third Street with New Cingular Wireless PCS, LLC, for a ten-year term, to commence following Board approval. (Real Estate Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140781 [Emergency Contracts - Repairing Lower Cherry Aqueduct and Upgrading Sunol Valley Water Facilities Related to Drought Declaration - Not to Exceed $5,137,000]

Sponsor: Farrell

Resolution approving the emergency public work contract between the San Francisco Public Utilities Commission and Monterey Mechanical under San Francisco Administrative Code, Section 6.60, to perform immediate work to repair Sunol Valley Water Treatment Plant, San Antonio Pump Station and related infrastructure in an amount not to exceed $5,137,000.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140783 [Lease Renewal - Empress Hotel - 144 Eddy Street - Empress, LLC - $60,687.03 Monthly In Initial Year]

Sponsor: Kim

Resolution retroactively authorizing the extension of the Lease between the City and County of San Francisco, as Tenant, and Empress, LLC, as Landlord, for the Empress Hotel located at 144 Eddy Street, consisting of approximately 41,490 square feet, for a ten year term beginning July 1, 2014, at $60,687.03 monthly in the initial year, for use by the Department of Public Health.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140784 [Lease Agreement - San Francisco Unified School District - 1235 Mission Street - Initial Rate of $216,014.33 Monthly]

Sponsor: Kim

Resolution retroactively approving a Lease Agreement with San Francisco Unified School District of Real Property at 1235 Mission Street for the Human Services Agency, at an initial rate of $216,014.33 per month for a term of 11 years and 10 months from July 1, 2014, through April 30, 2026.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140795 [Outreach Advertising and Neighborhood Outreach Advertising - FY2014-2015]

Sponsor: Mayor

Resolution designating Small Business Exchange to be the outreach newspaper of the City and County of San Francisco for the African American, Chinese and Hispanic communities; Sing Tao Daily and World Journal to be the outreach newspapers of the City and County of San Francisco for the Chinese community; El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community; Bay Area Reporter to be the outreach newspaper of the City and County of San Francisco for the Lesbian, Gay, Bisexual and Transgender community; Central City Extra to be the neighborhood outreach newspaper of the City and County of San Francisco for the Central City neighborhood; The Western Edition to be the neighborhood outreach newspaper of the City and County of San Francisco for the Western Addition neighborhood; Northside Publications/Marina Times to be the neighborhood outreach newspaper of the City and County of San Francisco for the Northern San Francisco neighborhood; West Portal Monthly to be the neighborhood outreach newspaper of the City and County of San Francisco for the West Portal neighborhood; and Potrero View to be the neighborhood outreach newspaper of the City and County of San Francisco for the Potrero Hill, Dogpatch, Bayview, SOMA, Mission Bay neighborhoods; to provide outreach advertising for Fiscal Year 2014-2015.

Privilege of the floor was granted unamiously to Jason Elliott (Mayor's Office) who responded to questions raised throughout the discussion.

Supervisor Farrell, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED to September 2, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140811 [General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed $106,095,000]

Sponsors: Mayor; Chiu

Resolution authorizing and directing the sale of not to exceed $106,095,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2014), Series 2014D; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.
(Fiscal Impact)

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140812 [General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed $57,840,000]

Sponsors: Mayor; Chiu

Resolution authorizing and directing the sale of not to exceed $57,840,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2014C; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.
(Fiscal Impact)

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140817 [Accept and Expend Grant - Recreation and Park Department - $158,101]

Sponsor: Mayor

Resolution retroactively authorizing the San Francisco Recreation and Park Department to accept and expend a grant of $158,101 from the San Francisco Parks Alliance to support various Recreation and Park Department operations for FY2012-2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140837 [Multifamily Housing Revenue Bonds - 1500-1580 Mission Street - Not to Exceed $375,000,000]

Sponsor: Mayor

Resolution declaring the intent of the City and County of San Francisco (the City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $375,000,000 for 1500-1580 Mission Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $375,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project as defined herein, and the Application as defined herein.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140838 [Exclusive Negotiation Agreement and Letter of Intent - Related California Urban Housing, LLC - Potential City Acquisition of a New Office Building at 1500-1580 Mission Street - Estimated Purchase Price of $253,000,000]

Sponsor: Mayor

Resolution approving an Exclusive Negotiation Agreement and Letter of Intent with Related California Urban Housing, LLC, for the potential City purchase of an office building to be developed at 1500-1580 Mission Street (Assessor's Block No. 3506, Lot Nos. 2 and 3) at an estimated purchase price of $253,000,000 and authorizing non-refundable payments of $1,000,000 toward land acquisition costs and up to $250,000 toward schematic design costs. (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140840 [Issuance of General Obligation Bonds - Earthquake Safety and Emergency Response Bonds, 2014 - Not to Exceed $400,000,000]

Sponsors: Mayor; Chiu

Resolution providing for the issuance of not to exceed $400,000,000 aggregate principal amount of City and County of San Francisco general obligation bonds (Earthquake Safety and Emergency Response Bonds, 2014); authorizing the execution, authentication, and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; adopting findings under the California Environmental Quality Act (CEQA), the CEQA guidelines and San Francisco Administrative Code, Chapter 31; finding that the proposed project is in conformity with the eight priority policies of Planning Code, Section 101.1(8), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Breed, seconded by Supervisor Wiener, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to Michael Jones of Recology in recognition of his heroic act by rescuing a homeless man who had fallen into his recycling truck.

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Wells Lawson of the Mayor's Office of Community Investment and Infrastructure in recognition of his dedicated service upon his departure from employment with the City and County of San Francisco. Supervisor Cohen shared in this commendation.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Francisco Ugarte of the Dolores Street Community Services in recognition of his accomplishments as the Legal Director for Immigration Programs and acknowledging his new endeavor with the Public Defender's Office. Supervisors Avalos, Mar, and Kim shared in this commendation.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Susan King of Sunday Streets in recognition of Sunday Streets 50th Event, her accomplishments, and continued community support.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Volunteers from the Recreation and Park Department Greenagers Program in recognition of their accomplishments and continued community support. Supervisor Cohen shared in this commendation.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140819 [Public Hearing - Lower Polk Community Benefit District]

Sponsor: Chiu

Public hearing, pursuant to the California Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et seq.), and City and County of San Francisco Business and Tax Regulations Code, Article 15, to consider the formation to establish the property-based business improvement district to be known as the Lower Polk Community Benefit District.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 140820. Supervisors Chiu and Kim provided some opening remarks related to the proposed community benefit district. Jamie Fontain; Josh Cobb; Kimberly Shroener; Ron Case; Laurie Martins; Carol Capps; Andrew Chandler; Bart Thomas; Ken Meade; Kimberlee Schulmann; Raul Avila; John Nulty; Michael Nulty; Larry Edmund; spoke in support of the community benefit district. Paul Downey; spoke in opposition to the community benefit district. Male Speaker; spoke neither in support nor opposition to the community benefit district. Crezia Tano (Mayor's Office of Economic and Workforce Development) provided an overview of the proposed community benefit district. Supervisor Kim provided some closing remarks. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

140820 [Resolution to Establish - Lower Polk Community Benefit District]

Sponsor: Chiu

Resolution of formation to establish the property-based business improvement district known as the "Lower Polk Community Benefit District" ordering the levy and collection of assessments against property located in that district for 15 years commencing with FY2014-2015, subject to conditions as specified; and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Lower Polk Community Benefit District was 68.23%, and the returned weighted ballots voting against the Lower Polk Community Benefit District was 31.77%, further indicating there was no majority protest.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140756 [Hearing - Report of Assessment Costs for Building Code Enforcement Violations]
Hearing to consider objections to a report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to assessments as referenced in File No. 140757. Alan Davison (Department of Building Inspection) provided an overview of the assessments. Rene; Male Speaker (6 Carr Street); Ron Daley (45 Cerritos Avenue); Colvac Winnington (1654 Clayton Street); Victor Gilbert (960 Howard Street); Sandy; Doris Miller; Ronald Chong (5976 Mission Street); Irene (3434 Clement Street); Male Speaker; Omir Beard; Dong Truong (2474-31st Avenue); spoke objecting to the proposed assessments. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

140757 [Report of Assessment Costs - Building Code Enforcement Violations]
Resolution approving the Report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. (Building Inspection Commission)

Alan Davison (Department of Building Inspection) indicated that the following addresses be removed from the accompanying report due to recent resolution or receipt of payment: 45 Cerritos Avenue; 960 Howard Street; 5976 Mission Street; 410 Clayton Street; 2474-31st Avenue; 1846-35th Avenue.

Supevisor Tang, seconded by Supervisor Mar, moved to accept the amendment to the accompanying report, as provided by the Department of Building Inspection, included in File No. 140757. The motion carried without objection.

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140859 [Hearing - Contract Amendment - San Francisco AIDS Foundation - Not to Exceed $14,734,565]

Hearing of persons interested in or objecting to a Resolution (File No. 140504) approving an amendment to the contract between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV prevention services and extend the contract term through June 30, 2016, for an amount not to exceed $14,734,565. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 140504. John Melichar (Department of Public Health) provided an overview of the contract amendment. Edmund Juizye; spoke in support of the contract amendment. Male Speaker; spoke neither in support nor opposition to the contract amendment. Supervisor Farrell provided some closing remarks. Harvey Rose, Budget and Legislative Analyst, provided an overview of their recommendations. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

140504 [Contract Amendment - San Francisco AIDS Foundation - Not to Exceed $14,657,577]

Resolution approving an amendment to the contract between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV prevention services and extend the contract term through June 30, 2016, for an amount not to exceed $14,734,565. (Public Health Department)
(Fiscal Impact)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution approving an amendment to the contract between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV prevention services and extend the contract term through June 30, 2016, for an amount not to exceed $14,657,577. (Public Health Department)
(Fiscal Impact)

ADOPTED AS AMENDED

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

140730 [Accept and Expend Grant - Urban Areas Security Initiative Grant Increase: Budget Revision - FY2013 - $1,012,873]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the fiscal agent for the Bay Area Urban Areas Security Initiative (UASI), to accept and expend an increase to FY2013 UASI grant funds in the amount of $1,012,873 for a total of $23,632,173 from the U.S. Department of Homeland Security through the California Office of Emergency Services for the period September 1, 2013, through May 31, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140799 [Contract Approval - Keefe Commissary Network, LLC - Guaranteed Annual Minimum Income $590,000]

Resolution approving a contract for operating the Sheriff's Jail Commissary and Inmate Trust Fund Accounting and Management System between Keefe Commissary Network, LLC, and the City and County of San Francisco, acting by and through its Sheriff's Department for a three-year term beginning September 1, 2014, and ending August 31, 2017, with two one-year options to extend, exercisable by the Sherriff's Department with a guaranteed annual minimum income of $590,000. (Sheriff)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

140643 [Administrative Code - Energy Efficiency Coordinating Committee]

Sponsor: Mar

Ordinance amending the Administrative Code to rename the Energy Efficiency Steering Committee as the Energy Efficiency Coordinating Committee; to reauthorize the Committee for one year unless further extended by the Board of Supervisors; to change the qualifications for membership on the Committee; and to revise the Committee's powers and duties.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140571 [Amending the Board's Rules - Establishing Communication Procedures for Hearings on Matters Referred to the Youth Commission]

Sponsors: Mar; Campos

Motion amending the Board of Supervisors Rules of Order, by adding Rule 2.12.1, to establish communication procedures for hearings on matters referred to the Youth Commission.

Motion No. M14-132

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140687 [Initiative Ordinance - Administrative Code - Minimum Wage]

Sponsors: Mayor; Kim, Chiu, Farrell, Breed, Yee, Wiener, Campos, Cohen, Tang, Mar and Avalos

Motion ordering submitted to the voters an ordinance amending the Administrative Code to increase the minimum wage for employees in San Francisco to $12.25 per hour on May 1, 2015, with annual increases, reaching $15.00 per hour in 2018, followed thereafter by annual cost-of-living increases; following 2015, provide only for annual cost-of-living increases in the minimum wage for two narrow categories of employees; and include the City government and In-Home Supportive Services Public Authority as employers subject to the Minimum Wage Ordinance at an election to be held on November 4, 2014.
(Economic Impact)

Supervisor Avalos requested to be added as a co-sponsor.

Motion No. M14-134

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140740 [Declaration of Policy - Affordable Housing Goals]

Sponsors: Kim; Chiu, Cohen and Breed

Motion ordering submitted to the voters a policy declaration making findings, defining goals, and declaring policies that affirm the City's commitment to: 1) address the current housing affordability crisis; 2) support production of 30,000 units of new housing in San Francisco, including at least one-third of those affordable to low and moderate income households, and over 50% within financial reach of working middle class San Franciscans by 2020; 3) create a Housing Action and Neighborhood Stabilization Plan, including funding strategies; 4) ensure financial support of public housing; and 5) review the ratio of affordable to market rate housing, at an election to be held on November 4, 2014.

Supervisors Chiu, Cohen, and Breed requested to be added as co-sponsors.

Motion No. M14-135

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140839 [Appointments, Assessment Appeals Board No. 3 - Michael Slattery and James Reynolds]

Motion appointing Michael Slattery (residency requirement waived), term ending September 7, 2015, and James Reynolds, term ending September 5, 2016, to the Assessment Appeals Board No. 3. (Clerk of the Board)

Motion No. M14-136

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140841 [Reappointment, Planning Commission - Kathrin Moore]

Motion approving the President of the Board of Supervisors', Supervisor David Chiu, nomination of Kathrin Moore to the Planning Commission, term ending July 1, 2018. (Clerk of the Board) (Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: July 18, 2014)

Motion No. M14-137

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140842 [Appointment, Planning Commission - Dennis Richards]

Motion approving the President of the Board of Supervisors', Supervisor David Chiu, nomination of Dennis Richards to the Planning Commission, term ending July 1, 2018. (Clerk of the Board) (Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: July 18, 2014)

Motion No. M14-138

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140843 [Appointment, Board of Appeals - Bobbie Wilson]

Motion approving the President of the Board of Supervisors', Supervisor David Chiu, nomination of Bobbie Wilson to the Board of Appeals, term ending July 1, 2018. (Clerk of the Board) (Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: July 18, 2014)

Motion No. M14-139

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140776 [Police Code - Regulating Mechanical Amusement Devices and Arcades]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Police Code to reduce restrictions on the location of, and lessen permitting requirements for, mechanical amusement devices and arcades, and remove obsolete Code provisions; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140821 [Planning Code - Interim Controls; Clarifying Definition of a Business Sign]

Sponsors: Wiener; Chiu

Resolution imposing interim zoning controls for an 18-month period to clarify the definition of a Business Sign in Planning Code, Section 602.3, affirming the Planning Department's environmental determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Peter Warfield (Library User's Association); expressed various concerns relating to the SF Public Library.
Male Speaker; expressed various concerns relating to Black History Month, housing, and jobs.
Christopher Dahl; expressed various concerns relating to housing in the Tenderloin.
Female Speaker; expressed various concerns relating to the Welfare to Work Program.
Danisha; expressed various concerns relating to the Welfare to Work Program.
Candace Davis; expressed various concerns relating to the Welfare to Work Program.
Emil Lawrence; expressed various concerns relating to the new Levi stadium and ride sharing programs.
Doris Miller; expressed various concerns relating to home improvements.
Phelicia Jones (SEIU 1021); expressed various concerns relating to wealth and disparities in the black community.
Treva Stewart (SEIU 1021); expressed various concerns relating to wealth and disparities in the black community.
Mattie Scott (SEIU 1021); expressed various concerns relating to wealth and disparities in the black community.
Tony Kelly; expressed various concerns relating to wealth and disparities in the black community.
Diane Smith; expressed various concerns relating to wealth and disparities in the black community.
Jeffrey Petrie; expressed various concerns relating to wealth and disparities in the black community.
Frank Williams (SEIU 1021); expressed various concerns relating to wealth and disparities in the black community.
Perry Lane; expressed various concerns relating to wealth and disparities in the black community.
Julie Fischer (UCW5); expressed various concerns relating to wealth and disparities in the black community.
Larry Edmund; expressed various concerns relating to housing in the Tenderloin.
Tommy Gilberty; spoke regarding his life's timeline and specific milestones.

Supervisor Mar was noted absent at 6:12 p.m., and noted present at 6:27 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 140858 be severed so that it may be considered separately.

140858 [Committee of the Whole - Contract Amendment - San Francisco AIDS Foundation - Not to Exceed $14,734,565 - July 29, 2014]

Sponsor: Wiener

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 29, 2014, at 3:00 p.m. to hold a public hearing on a Resolution (File No. 140504) approving an amendment to the contract between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV prevention services and extend the contract term through June 30, 2016, for an amount not to exceed $14,734,565.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 140858. There were no speakers. The President declared public comment closed.

Motion No. M14-133

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu requested that File No. 140826 be severed so that it may be considered separately.

140826 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 4, 2014, Consolidated General Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2014, Consolidated General Election. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Breed, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion No. M14-140

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen requested that File No. 140857 be severed so that it may be considered separately.

140857 [Supporting and Encouraging the Development of a Policy to Prohibit the Transportation and Export of Hazardous Materials]
Sponsor: Cohen
Resolution supporting and encouraging the Department of the Environment and the Port in developing a policy to prohibit the transportation and export of hazardous fossil fuel materials including crude oil, coal, and petroleum coke in the City and County of San Francisco.

REFERRED to the Neighborhood Services and Safety Committee

Supervisor Campos requested that File No. 140822 be severed so that it may be considered separately.

140822 [Intent to Prioritize Funding a Cost of Doing Business Supplemental Appropriation]
Sponsors: Campos; Mar, Yee, Avalos and Cohen
Resolution to prioritize approval of a supplemental appropriation up to the amount of $3,400,000 during FY2014-2015 to fund a cost of doing business allocation for non-profit agencies that contract with the City and County of San Francisco.

Supervisor Farrell divided the question to suspend Board Rule 2.10 relating to Committee Reference and on the question of adoption. Suspending the Committee Reference carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 4 - Breed, Farrell, Tang, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

140844 [Planning Code - Formula Retail and Large-Scale Retail Controls]

Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 19 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

06/30/14; RESPONSE RECEIVED.

07/18/14; RESPONSE RECEIVED.

07/21/14; RECEIVED FROM DEPARTMENT.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

140845 [Settlement of Lawsuit - Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. - $175,000]

Ordinance authorizing settlement of the lawsuit filed by Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr., against the City and County of San Francisco for $175,000; the lawsuit was filed on May 2, 2011, in United States District Court, Case No. C11-02162 LB; entitled Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. v. City and County of San Francisco, et al. (City Attorney)

07/21/14; RECEIVED FROM DEPARTMENT.

07/29/14; RECEIVED AND ASSIGNED to Rules Committee.

140846 [Contracting Process for the Police Department Traffic Company and Forensic Services Division Project]

Ordinance modifying the requirements of Administrative, Code Section 6.68(H) to authorize the Director of Public Works to issue Requests for Proposals to pre-qualified Construction Managers/General Contractors (CM/GC) and their teams of pre-qualified core trade subcontractors to design-build the mechanical, electrical, plumbing, and exterior building envelope scopes of work for the Traffic Company and Forensic Services Division Project; use cost and non-cost criteria to evaluate the design-build proposals for the core trade work; and award a prime contract to the CM/GC based in part on an evaluation of cost and non-cost criteria for the core trade work; and making environmental findings.

07/21/14; RECEIVED FROM DEPARTMENT.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/28/2014.

140847 [Administrative Code - Sheriff's Auxiliary Reserve Air Squadron]

Ordinance amending the Administrative Code to create the Sheriff's Auxiliary Reserve Air Squadron to support the Sheriff by providing aerial observation of the City, including its coast, public utility transmission and distribution lines, and evacuation routes, in the event of actual or threatened emergency. (Sheriff)

07/21/14; RECEIVED FROM DEPARTMENT.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/28/2014.

PROPOSED RESOLUTIONS

140848 [Contract Amendment - Institute on Aging - Not to Exceed $42,908,836]

Resolution retroactively amending Resolution No. 457-10, approving new modified grant agreements between the City and County of San Francisco and the Institute on Aging, to add funding in the amount of $26,763,970 to continue the provision of Community Living Fund - Case Management and Purchase of Services, Aging & Disability Resource Center, Alzheimer's Day Care Resource Center, Case Management, Elder Abuse Prevention Services and Adult Day Health/Adult Day Care Services, for the period of July 1, 2014, through June 30, 2019, in a modified grant total amount not to exceed $42,908,836. (Human Services Agency)

07/18/14; RECEIVED FROM DEPARTMENT.

07/29/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:45 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, September 2, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

SEP 05 2014

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MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Kim, seconded by Supervisor Tang, moved to approve the Board Meeting Minutes of July 8, 2014, July 15, 2014, July 22, 2014, and July 29, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from Mayor Edwin Lee on August 19, 2014, communicating the Second Declaration of Local Emergency, relating to the Rim Fire (Stanislaus National Forest Area), pursuant to Charter, Section 3.100, and Administrative Code, Chapter 7, which empowers the Mayor to proclaim the existence of a local emergency, subject to ratification by the Board of Supervisors. Further communicating that this matter was placed on the Without Reference to Committee Agenda on today's meeting.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

140774 [Police Code - Street Artist Certificate Fee Waivers for Honorably Discharged Veterans]

Sponsor: Mayor

Ordinance amending the Police Code to require the Director of Cultural Affairs, or his or her designee, to waive Street Artist Certificate fees for honorably discharged veterans and to grant refunds to honorably discharged veterans who file a refund claim on or before July 1, 2015, for any fees collected between January 1, 2009, and July 1, 2014.

FINALLY PASSED

140801 [Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds of $106,095,000 - FY2014-2015]

Sponsors: Mayor; Chiu

Ordinance appropriating $106,095,000 of the 2014 Series Earthquake Safety and Emergency Response (ESER 2014) General Obligation Bond Proceeds to the Department of Public Works in FY2014-2015 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster.
(Fiscal Impact)

FINALLY PASSED

140802 [Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds of $57,840,000 - FY2014-2015]

Sponsors: Mayor; Chiu

Ordinance appropriating $57,840,000 of the 2014 Series Earthquake Safety and Emergency Response (ESER 2010) General Obligation Bond Proceeds to the Department of Public Works in FY2014-2015 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster.
(Fiscal Impact)

FINALLY PASSED

Recommendation of the Rules Committee

140643 [Administrative Code - Energy Efficiency Coordinating Committee]

Sponsor: Mar

Ordinance amending the Administrative Code to rename the Energy Efficiency Steering Committee as the Energy Efficiency Coordinating Committee; to reauthorize the Committee for one year unless further extended by the Board of Supervisors; to change the qualifications for membership on the Committee; and to revise the Committee's powers and duties.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the Consent Agenda

Supervisor Breed requested that File No. 140776 be severed so that it may be considered separately.

Recommendation of the Land Use and Economic Development Committee

140776 [Police Code - Regulating Mechanical Amusement Devices and Arcades]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Police Code to reduce restrictions on the location of, and lessen permitting requirements for, mechanical amusement devices and arcades, and remove obsolete Code provisions; and making environmental findings.

Supervisor Breed, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

140795 [Outreach Advertising and Neighborhood Outreach Advertising - FY2014-2015]

Sponsor: Mayor

Resolution designating Small Business Exchange to be the outreach newspaper of the City and County of San Francisco for the African American, Chinese and Hispanic communities; Sing Tao Daily and World Journal to be the outreach newspapers of the City and County of San Francisco for the Chinese community; El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community; Bay Area Reporter to be the outreach newspaper of the City and County of San Francisco for the Lesbian, Gay, Bisexual and Transgender community; Central City Extra to be the neighborhood outreach newspaper of the City and County of San Francisco for the Central City neighborhood; The Western Edition to be the neighborhood outreach newspaper of the City and County of San Francisco for the Western Addition neighborhood; Northside Publications/Marina Times to be the neighborhood outreach newspaper of the City and County of San Francisco for the Northern San Francisco neighborhood; West Portal Monthly to be the neighborhood outreach newspaper of the City and County of San Francisco for the West Portal neighborhood; and Potrero View to be the neighborhood outreach newspaper of the City and County of San Francisco for the Potrero Hill, Dogpatch, Bayview, SOMA, Mission Bay neighborhoods; to provide outreach advertising for FY2014-2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendation of the Budget and Finance Sub-Committee

140586 [Emergency Contract - Flatiron, West, Inc. - Repairing Lower Cherry Aqueduct - Not to Exceed $14,000,000]

Resolution approving an emergency public work contract between the Public Utilities Commission and Flatiron, West, Inc., under San Francisco Administrative Code, Section 6.6, to perform immediate work to repair Lower Cherry Aqueduct in response to an emergency drought declaration with a contract amount not to exceed $14,000,000. (Public Utilities Commission) (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140725 [Underground District - Ringold Alley]
Sponsor: Kim
Ordinance creating Underground District No. 360 on Ringold Alley from 8th Street to 9th Street; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140836 [Public Hearing - Establishing the Community Facilities District 2014-1 (Transbay Transit Center)]
Public hearing of persons interested in or objecting to the proposed Resolution of Formation for Special Tax District No. 2014-1, establishing the Transbay Transit CFD and determining other matters in connection therewith; Resolution determining necessity to incur bonded indebtedness for the CFD; and Resolution calling for a special election in the City and County of San Francisco to submit the issues of the special tax, the incurring of bonded indebtedness and the establishment of the appropriations limit to the qualified electors of the CFD. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File Nos. 140836, 140814, 140815, and 140816. Supervisor Kim made some opening remarks and moved to continue the matters to September 9, 2014, at 3:00 p.m. Matt Field (TMG Propertiies); Bruce Agid (TJPACAC); Patrick Valentino (TJPACAC); Alice Rogers; Charlie; expressed various concerns and spoke in spoke in support of the proposed district. Supervisor Wiener made some closing comments. There were no other speakers.

Supervisor Kim, seconded by Supervisor Campos, moved that this Hearing be CONTINUED open to September 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The President CONTINUED the Hearing open to September 9, 2014, at 3:00 p.m.

Committee of the Whole Adjourn and Report

140814 [Resolution of Formation - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution of formation of the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to September 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140815 [Determining Necessity to Incur Bonded Indebtedness - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution determining necessity to incur bonded indebtedness for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters therewith.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to September 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140816 [Special Election for the Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution calling for a special election in the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to September 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140658 [Hearing - Street Vacation Order - McCoppin Hub City Plaza Project - McCoppin Street]

Hearing of persons interested in or objecting to the proposed Ordinance ordering the vacation of portions of McCoppin Street west of Valencia Street that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block No. 3503, Lot No. 003 to the north, and Assessor's Block No. 3502, Lot No. 113 to the south, for the purposes of the McCoppin Hub City Plaza Project; reducing the official sidewalk width on the southerly side of McCoppin Street, establishing a new sidewalk on the easterly side of Valencia Street adjacent to the street vacation area, and reducing the official right-of-way width of this portion of McCoppin Street; approving an interdepartmental transfer of the vacated area from the Department of Public Works to the Division of Real Estate; making findings under the California Environmental Quality Act and adopting findings that the vacation and public right-of-way changes are consistent with the General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File Nos. 140657 and 140283. Supervisor Kim provided some opening remarks. John Updike, Real Estate Director, provided an overview of the vacation and responded to questions raised throughout the discussion. Supervisor Wiener provided some closing comments. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Referred Without Recommendation from the Land Use and Economic Development Committee

140657 [Street Vacation Order - McCoppin Hub City Plaza Project - McCoppin Street]

Sponsors: Kim; Wiener

Ordinance vacating a portion of McCoppin Street west of Valencia Street that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block No. 3503, Lot No. 003 to the north, and Assessor's Block No. 3502, Lot No. 113 to the south, for the purposes of the McCoppin Hub City Plaza Project; reducing the official sidewalk width on the southerly side of McCoppin Street, establishing a new sidewalk on the easterly side of Valencia Street adjacent to the street vacation area, and reducing the official right-of-way width of this portion of McCoppin Street; approving an interdepartmental transfer of the vacated area from the Department of Public Works to the Division of Real Estate; making findings under the California Environmental Quality Act and adopting findings that the vacation and public right-of-way changes are consistent with the General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140283 [Planning Code - Rezoning McCoppin Plaza to Public Use/Open Space Zoning]

Sponsors: Kim; Wiener

Ordinance amending the Planning Code to rezone McCoppin Street from Valencia Street to its terminus on Market Street from NCT-3/85-X and 40- X (Moderate-Scale Neighborhood Commercial Transit District) to P (Public Use)/OS (Open Space) as part of the establishment of McCoppin Hub Plaza; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various concerns.
Reuben David Goodman; expressed various concerns relating to human rights and nursing facilities.
Male Speaker; expressed various concerns relating to children abductions.
John DiDonna; shared in poem certain concerns relating to public transit with the Board.
Patrick McCann; expressed various concerns relating to the proposed Flower Market acquisition.
John Decantur; expressed various concerns relating to home sharing.
Male Speaker; expressed various concerns relating undocumented youth and home sharing.
Cynthia; expressed various concerns relating to home sharing.
Karen C.; expressed various concerns relating to home sharing.
Madeleine Savit; expressed various concerns relating to emergency preparedness and disaster relief.
Geo; expressed various concerns relating to home sharing.
Dave Massen; expressed various concerns relating to proposed legislation relating to carbon tax.
Andrew Kingsdale; expressed various concerns relating to proposed legislation relating to carbon tax.
Ashley; expressed various concerns relating to home sharing.
Nancy Rock; expressed various concerns relating to domestic violence.
Beverly Upton (Domestic Violence Consortium); expressed various concerns relating to domestic violence.
Tom Gilberty; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140896 [Committee of the Whole - Special Election for the Community Facilities District No. 2014-1 (Transbay Transit Center)]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 2, 2014, at 3:00 p.m., to hold a public hearing to consider a Resolution (File No. 140816) calling for a special election in the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center). (Clerk of the Board)

Motion No. M14-141

APPROVED

140883 [Commitment to Investing in the Safety of Children in Parks and Open Space]

Sponsors: Cohen; Breed, Avalos, Kim and Chiu

Resolution reaffirming the commitment of the City and County of San Francisco to invest in the safety of its children in our parks and open space.

ADOPTED

140887 [Supporting California Assembly Bill 935 (Frazier) - California Veterans Driver's License]

Sponsors: Farrell; Chiu

Resolution supporting California State Assembly Bill 935, introduced by Assembly Member Frazier, which calls for the creation of clearly identifiable California state driver's licenses and identification cards for veterans.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED

140872 [Final Map 7788 - 530-534 Clipper Street]

Motion approving Final Map 7788, a six residential unit condominium project, located at 530-534 Clipper Street, being a subdivision of Assessor's Block No. 6545, Lot No. 011, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-142

APPROVED

140890 [Final Map 7764 - 138-146 Beulah Street]

Motion approving Final Map 7764, a six residential unit condominium project, located at 138-146 Beulah Street, being a subdivision of Assessor's Block No. 1250, Lot No. 014, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-143

APPROVED

140891 [Final Map 7633 - 45 Lansing Street]

Motion approving Final Map 7633, a 320 residential unit condominium project, located at 45 Lansing Street, being a subdivision of Assessor's Block No. 3749, Lot No. 059, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-144

APPROVED

140894 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M14-145

APPROVED

140898 [Final Map 7844 - 2715-2719 Sacramento Street]

Motion approving Final Map 7844, a five residential unit condominium project, located at 2715-2719 Sacramento Street, being a subdivision of Assessor's Block No. 0633, Lot No. 015, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-146

APPROVED

140899 [Final Map 7726 - 870 Harrison Street]

Motion approving Final Map 7726, a 26 residential unit and one commercial unit, mixed-use condominium project, located at 870 Harrison Street, being a subdivision of Assessor's Block No. 3752, Lot No. 019, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-147

APPROVED

140900 [Final Map 7761 - 400 Oak Street]

Motion approving Final Map 7761, a six residential unit condominium project, located at 400 Oak Street, being a subdivision of Assessor's Block No. 0830, Lot No. 005, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-148

APPROVED

140901 [Final Map 7584 - 25-35 Dolores Street]

Motion approving Final Map 7584, a 37 residential unit condominium project, located at 25-35 Dolores Street, being a subdivision of Assessor's Block No. 3534, Lot No. 069, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-149

APPROVED

140902 [Zoning - Report on Interim Moratorium on Change of Institutional Use in a Portion of the University Mound Neighborhood]

Motion adopting the Planning Department's report on the interim zoning moratorium on changes of institutional use in a portion of the University Mound neighborhood bounded by Highway 280 on the north, Wayland Street on the south, University Street on the east, and Cambridge Street on the west. (Clerk of the Board)

Motion No. M14-150

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

140892 [Settlement of Lawsuit - Margarita Herrera - $475,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for $475,000; the lawsuit was filed on June 5, 2013, in San Francisco Superior Court, Case No. CGC 13-531901; entitled Herrera v. City and County of San Francisco, et al. (City Attorney)

08/04/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140904 [Settlement of Lawsuit - Justin Neisuler - $63,000]

Ordinance authorizing settlement of the lawsuit filed by Justin Neisuler against the City and County of San Francisco for $63,000; the lawsuit was filed on December 4, 2012, in San Francisco Superior Court, Case No. CGC-12-526598; entitled Justin Neisuler v. City and County of San Francisco. (City Attorney)

08/25/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140905 [Settlement of Lawsuit - Sean Alexander Hold - $210,000]

Ordinance authorizing settlement of the lawsuit filed by Sean Alexander Hold against the City and County of San Francisco for $210,000; the lawsuit was filed on December 16, 2013, in the United States District Court for the Northern District of California, Case No. C13-5814 CW; entitled Sean Alexander Hold v. City and County of San Francisco, et al. (City Attorney)

08/25/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140906 [Settlement of Lawsuit - Eduardo Alegrett - $285,000]

Ordinance authorizing settlement of the lawsuit filed by Eduardo Alegrett against the City and County of San Francisco for $285,000; the lawsuit was filed on October 29, 2012, in the United States District Court for the Northern District of California, Case No. C-12-5538-MEJ; entitled Eduardo Alegrett v. City and County of San Francisco, et al. (City Attorney)

08/25/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

140860 [Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement from October 1, 2014, to September 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140861 [Master Lease Amendment - United States Navy - Treasure Island Childcare]

Resolution approving Amendment No. 10 to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140862 [Master Lease Amendment - United States Navy - Treasure Island Event Venues]

Resolution approving Amendment No. 26 to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140863 [Master Lease Amendment - United States Navy - Treasure Island Fire Fighting Training Center]

Resolution approving the Sixth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140864 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving Amendment No. 39 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140865 [Master Lease Amendment - United States Navy - Treasure Island Marina]

Resolution approving Amendment No. 18 to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140866 [Master Lease Amendment - United States Navy - Treasure Island South Waterfront]

Resolution approving Amendment No. 30 to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140867 [Settlement of Grievance - Pamela Arons - $130,000]

Resolution approving settlement of the unlitigated grievance (ERD No. 45-08-1876) of Pamela Arons against the City and County of San Francisco for $130,000; Service Employees International Union, Local 1021 notified the City of the grievance entitled Grievance of Pamela Arons, on June 30, 2008. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140868 [Settlement of Claim - Isa and Vegar Svanemyr - $15,130,000]

Resolution approving the settlement of the unlitigated claims filed by Isa and Vegar Svanemyr against the City and County of San Francisco for $15,130,000 to be paid in three installments; claim was filed on November 8, 2013. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140869 [Settlement of Claim - Wendy and Johnny Tseng - $114,074.63]

Resolution approving the settlement of the unlitigated claim filed by Wendy and Johnny Tseng against the City and County of San Francisco for $114,074.63; claim was filed on January 21, 2014. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140870 [Settlement of Claim - Lisa Howe - $35,000]

Resolution approving the settlement of the unlitigated claim filed by Lisa Howe against the City and County of San Francisco for $35,000; claim was filed on October 17, 2013. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140871 [Contract Approval - Andrews International - Armed and Unarmed Security Services - Not to Exceed $29,226,586.68]

Resolution approving the contract between the San Francisco Municipal Transportation Agency (SFMTA) and Andrews International to provide armed and unarmed security services for an amount not to exceed $29,226,586.68, and an initial three year term of September 15, 2014, through August 31, 2017, with an option to extend for up to three additional years at the SFMTA's sole discretion. (Municipal Transportation Agency)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140893 [Settlement of Claim - Janie Vargas and Stanley E. Pond - $55,000]

Resolution approving the settlement of the unlitigated claim filed by Janie Vargas and Stanley E. Pond, Esq. against the City and County of San Francisco for $55,000; claim was filed on March 3, 2014. (City Attorney)

08/04/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140903 [Contracts - Various Vendors - Technology Marketplace - Not to Exceed $12,000,000 Each]

Resolution authorizing the Office of Contract Administration to enter into nine contracts for the Technology Marketplace (Successor to the Technology Store) purchases between the City and County and En Pointe Technologies, Inc., World Wide Technology, Inc., ComputerLand of Silicon Valley, Xtech JV, Technology Integration Group, Central Computers, Stellar Services, Robert Half Technology, and InterVision Systems Technologies, Inc., with initial not to exceed amounts of $12,000,000 each, for the term ending September 30, 2017, to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City.

08/22/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:52 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

GOVERNMENT
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MEETING MINUTES - DRAFT

Tuesday, September 9, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Economic Development Committee

140657 [Street Vacation Order - McCoppin Hub City Plaza Project - McCoppin Street]

Sponsors: Kim; Wiener

Ordinance vacating a portion of McCoppin Street west of Valencia Street that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block No. 3503, Lot No. 003 to the north, and Assessor's Block No. 3502, Lot No. 113 to the south, for the purposes of the McCoppin Hub City Plaza Project; reducing the official sidewalk width on the southerly side of McCoppin Street, establishing a new sidewalk on the easterly side of Valencia Street adjacent to the street vacation area, and reducing the official right-of-way width of this portion of McCoppin Street; approving an interdepartmental transfer of the vacated area from the Department of Public Works to the Division of Real Estate; making findings under the California Environmental Quality Act and adopting findings that the vacation and public right-of-way changes are consistent with the General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140283 [Planning Code - Rezoning McCoppin Plaza to Public Use/Open Space Zoning]

Sponsors: Kim; Wiener

Ordinance amending the Planning Code to rezone McCoppin Street from Valencia Street to its terminus on Market Street from NCT-3/85-X and 40- X (Moderate-Scale Neighborhood Commercial Transit District) to P (Public Use)/OS (Open Space) as part of the establishment of McCoppin Hub Plaza; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140725 [Underground District - Ringold Alley]

Sponsor: Kim

Ordinance creating Underground District No. 360 on Ringold Alley from 8th Street to 9th Street; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140776 [Police, Business and Tax Regulations Codes - Regulating Mechanical Amusement Devices and Arcades]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Police Code to reduce restrictions on the location of, and lessen permitting requirements for, mechanical amusement devices and arcades, and remove obsolete Code provisions; amending the Business and Tax Regulations Code to clarify the appeal period for appealing mechanical amusement device permits and other Entertainment Commission permits to the Board of Appeals; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140595 [Professional Services Agreement - Waiving Competitive Solicitation Requirement to Procure Specialized Environmental Services - East Harbor Marina Sediment Remediation and Facility Renovation Project - Leidos, Inc. - Not to Exceed $1,970,000]

Ordinance waiving the competitive solicitation requirement under Administrative Code, Section 6.40, and authorizing the General Manager of the Recreation and Parks Department to enter into a professional services agreement with Leidos, Inc., in an amount not to exceed $1,970,000 for the purpose of performing specialized environmental services for the San Francisco East Harbor Marina Sediment Remediation and Facility Renovation Project, to commence following Board approval. (Recreation and Park Department)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140873 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2014-2015]

Sponsor: Mayor

Ordinance levying property taxes at a combined rate of $1.1743 on each $100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District and establishing a pass-through rate of $0.0880 per $100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2015.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140320 [Accept Gift - Automated External Defibrillators - Approximately $15,000]

Sponsors: Kim; Breed and Chiu

Resolution authorizing the Police Department to accept a gift of 10 Automated External Defibrillators from Mr. John Konstin, valued at approximately $15,000 for the use of the Tenderloin District Station.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140559 [Accept and Expend Grant - Summer Jobs Connect Program - $478,000]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Children, Youth, and Their Families to accept and expend grant funding in the amount of $478,000 from the Cities for Financial Empowerment Fund to support 200 youth employment opportunities and research financial products, services, and education for youth participating in summer employment opportunities for the period of March 1, 2014, through February 28, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140742 [Airport Professional Services Agreement Modification - Bombardier Transportation (Holdings) USA, Inc.- Operation and Maintenance Services - AirTrain System - Not to Exceed $100,543,834]

Resolution approving Modification No. 2 to Professional Services Agreement, Airport Contract No. 8838, to provide operation and maintenance services for the AirTrain System, between Bombardier Transportation (Holdings) USA, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, to cover the replacement of obsolete AirTrain equipment and to provide a contingency fund for the replacement of any additional equipment over the three-year contract term of March 1, 2014, through February 28, 2017, in an amount not to exceed $100,543,834 pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140747 [Contract Amendment - Toyon Associates, Inc. - Not to Exceed $4,996,617]

Resolution approving an amendment to the contract between the Department of Public Health and the Toyon Associates, Inc., to provide regulatory reporting/reimbursement and revenue optimization services, for an amount not to exceed $4,996,617 for an additional three and one-half years, for the term April 1, 2014, through March 31, 2018. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140778 [Accept and Expend Grant - Friends of San Francisco Public Library - Annual Grant Award, FY2014-2015 - Up to $720,000]

Sponsor: Mayor

Resolution retroactively authorizing the San Francisco Public Library to accept and expend a grant in the amount of up to $720,000 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services in FY2014-2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140810 [Exchange Agreement - San Francisco Unified School District and Mayor's Office of Housing and Community Development - 1950 Mission Street, 555 Franklin, and 380 Fulton Streets]

Sponsors: Mayor; Kim, Campos and Mar

Resolution authorizing the exchange of City property located near the intersection of McAllister Street and Ash Alley (555 Franklin and 380 Fulton Streets) under the jurisdiction of the Mayor's Office of Housing and Community Development and an additional fee of $2,675,000 for real property owned by the San Francisco Unified School District located at 1950 Mission Street, San Francisco; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140882 [Contract - Siemens Industry, Inc. - Procurement of New Light Rail Vehicles - Not to Exceed $1,192,651,577]

Sponsors: Breed; Wiener, Chiu, Mar, Tang, Cohen and Avalos

Resolution approving a contract with Siemens Industry, Inc., to procure up to 260 light rail vehicles, associated services, spare parts, special tools, training, and documentation in an amount not to exceed $1,192,651,577 for a term not to exceed 15 years, to commence following Board approval; and making environmental findings.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140885 [Accept and Expend Grant - Castro/Upper Market Community Benefit District - Castro Streetscape Improvement Project - $121,860]

Sponsor: Wiener

Resolution retroactively authorizing the Department of Public Works to accept and expend a grant of up to $121,860 from the Castro/Upper Market Community Benefit District for the Castro Streetscape Improvement Project for the period of March 10, 2014, through November 10, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Judge Julie Tang of the Superior Court of California in recognition of 25 years of disquinshed service upon her retirement. Supervisors Chiu, Yee, Tang, and Kim shared in the commendation.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to the Equity on Young Black Women's Health Collaborative Group in recognition of their work and accomplishments on black infant health and mortality.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140836 [Public Hearing - Establishing the Community Facilities District (CFD) 2014-1 (Transbay Transit Center)]

Public hearing of persons interested in or objecting to the proposed Resolution of Formation for Special Tax District No. 2014-1, establishing the Transbay Transit CFD and determining other matters in connection therewith; Resolution determining necessity to incur bonded indebtedness for the CFD; and Resolution calling for a special election in the City and County of San Francisco to submit the issues of the special tax, the incurring of bonded indebtedness and the establishment of the appropriations limit to the qualified electors of the CFD. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File Nos. 140814, 140815, and 140816. Adam Varat (Planning Department), Nadia Sesay, Director, Mayor's Office of Public Finance, Scott Boule (Transbay Joint Powers Authority), and Ken Rich (Office of Economic and Workforce Development) provided an overview of the proposed district and responded to questions raised throughout the discussion. Jane Morrison; Bruce Agid; Dana Levine; Male Speaker; Bob Feinbaum; Tom Radulavich; Steve Hargrove; Peter Strauss; Hannah Frisbee; Madeleine Savit; Thea Selby; Michael Theriault; Joel Kappal; Anna LaForte; Alice Rogers; expressed various concerns and spoke in support of the district. Francisco Da Costa; expressed various concerns and spoke in opposition to the district. Male Speaker: Ken Cleveland; Jim Lazarus; Chris Crowdahl; expressed various concerns and spoke neither in support nor opposition to the district. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED open to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The President CONTINUED the Hearing open to September 23, 2014, at 3:00 p.m.

Committee of the Whole Adjourn and Report

140814 [Resolution of Formation - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution of formation of the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140815 [Determining Necessity to Incur Bonded Indebtedness - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution determining necessity to incur bonded indebtedness for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters therewith.

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140816 [Special Election for the Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution calling for a special election in the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Privilege of the floor was unanimously granted to the mother of Ashanti Dudley who made a statement and spoke on the scholarship fund set up in her son's honor.

PUBLIC COMMENT

Reuben Goodman; invited persons to the Walk to End Alzheimer's on Saturday, September 20, 2014, at 10:00 a.m. at Mission Creek Park.
Peter Warfield; expressed concerns relating to the SF Public Library's war on the homeless.
Male Speaker; expressed various religious concerns.
Shivana Jorawar; spoke in support of the resolution opposing "sex-selective abortion bans."
Jennifer Chou; spoke in support of the resolution opposing "sex-selective abortion bans."
Linda Yang; spoke in support of the resolution opposing "sex-selective abortion bans."
Jenny Lam; spoke in support of the resolution opposing "sex-selective abortion bans."
Noel Leon; spoke in support of the resolution opposing "sex-selective abortion bans."
Lily Benedict; spoke in support of the resolution opposing "sex-selective abortion bans."
Ashley Morris; spoke in support of the resolution opposing "sex-selective abortion bans."
Charlie Goss; spoke in opposition to the short term renters legislation.
Tom Gilberty; expressed various concerns relating to noise pollution.
Dave Mathis; expressed concerns regarding the climate crisis and the economy.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

140888 [Closed Session - Anticipated Litigation - Buffer Zone at Reproductive Health Care Facilities]

Sponsor: Campos

Motion that the Board of Supervisors convene in closed session on September 9, 2014, for the purpose of conferring with, or receiving advice from the City Attorney regarding anticipated litigation as defendant relating to Police Code, Article 43, prohibiting entering or remaining in buffer zones at reproductive healthcare facilities, in light of McCullen v. Coakley (2014) 573 U.S. ___; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding the proposed motion to table the closed session. There were no speakers. The President declared public comment closed.

Supervisor Campos, seconded by Supervisor Cohen, moved the Closed Session be TABLED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

140938 [Closed Session - Anticipated Litigation - Establishing Community Facilities District 2014-1 (Transbay Transit Center)]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on September 9, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential formation of Special Tax District 2014-1, also known as the Transbay Transit Community Facilities District; in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. Tom Gilberty; expressed concerns on open information and government. There were no other speakers. The President declared public comment closed.

Motion No. M14-153

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 5:31 p.m. to convene in closed session pursuant to the above motion. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Persons in attendance: Jon Givner, James Emery, Jesse Smith, and Mark Blake (Office of the City Attorney); Adam Varat (Planning Department); Nadia Sesay, Director (Mayor's Office of Public Finance); Ken Rich and Lisa Pagan (Office of Economic and Workforce Development); Courtney Cash (Mayor's Office); Chris Lynch (Jones Hall); and Rick Caldeira, Legislative Deputy Director, and Alisa Somera (Office of the Clerk of the Board). Matter was heard in closed session, no action was taken, and the hearing was filed.

RECONVENING OF THE BOARD

The Board reconvened at the hour of 6:05 p.m. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Kim, seconded by Supervisor Breed, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim was noted absent at 5:12 p.m., and noted present at 5:25 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140923 [Intention to Develop Competitive Grant Program to Fund Community Recidivism and Crime Reduction Services]

Sponsors: Cohen; Chiu

Resolution affirming the Board of Supervisors' intention to develop, in collaboration with the Community Corrections Partnership, a competitive grant program to fund community recidivism and crime reduction services with funds awarded to the City and County of San Francisco by the California Board of State and Community Corrections.

ADOPTED

140929 [Supporting Bans on Nontherapeutic Uses of Antibiotics in Livestock Production]

Sponsor: Avalos

Resolution supporting State and national bans on nontherapeutic uses of antibiotics in livestock production.

ADOPTED

140930 [Urging Enactment of a Revenue-Neutral Carbon Tax]

Sponsors: Avalos; Breed, Mar and Yee

Resolution urging the United States Congress to enact a revenue-neutral carbon tax.

Supervisors Breed, Mar, and Yee requested to be added as co-sponsors.

ADOPTED

140912 [Final Map 7832 - 75 Lily Street]

Motion approving Final Map 7832, a five residential unit condominium project, located at 75 Lily Street, being a subdivision of Assessor's Block No. 0837, Lot No. 009, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-151

APPROVED

140913 [Final Map 7820 - 124-5th Avenue]

Motion approving Final Map 7820, a six residential unit condominium project, located at 124-5th Avenue, being a subdivision of Assessor's Block No. 1364, Lot No. 034, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-152

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Cohen requested that File No. 140933 be severed so that it may be considered separately.

140933 [Infant Mortality Awareness Month - September]

Sponsor: Cohen

Resolution declaring September "Infant Mortality Awareness Month" in the City and County of San Francisco.

Supervisor Cohen, seconded by Supervisor Tang, moved to AMEND the Resolution on Page 1, Line 11, by changing 'week' to 'year'. The motion carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous votes. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen, seconded by Supervisor Tang, moved that this Resolution be AMENDED on Page 1, Line 11, by changing 'week' to 'year'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Farrell requested that File No. 140934 be severed so that it may be considered separately.

140934 [Apply for Grant - State-County Assessors' Partnership Agreement Program - Not to Exceed $530,000 Annually Plus Required Matching Funds]

Sponsor: Farrell

Resolution authorizing the Office of the Assessor-Recorder to apply for the State-County Assessors' Partnership Agreement Program to improve the administration of the county property tax rolls and related essential duties for an amount not to exceed $530,000 annually plus required dollar-for-dollar matching funds for FYs 2014-2015 through 2016-2017 to commence no later than September 15, 2014, if approved.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Wiener, seconded by Supervisor Campos, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Wiener, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140948 [Support for San Francisco to Host AIDS 2018]

Sponsors: Wiener; Campos, Chiu and Cohen

Resolution supporting San Francisco's bid to host the 22nd International AIDS Conference in 2018.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Breed, seconded by Supervisor Avalos, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Breed, seconded by Supervisor Avalos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140949 [Denouncing the 49ers for Allowing Ray McDonald to Continue Playing While Facing Felony Domestic Violence Charges]

Sponsor: Breed

Resolution denouncing the 49ers franchise for allowing Ray McDonald to continue playing during an active investigation for felony domestic violence charges and urging both the 49ers and the NFL to strengthen their policies against domestic violence.

Supervisor Breed, seconded by Supervisor Avalos, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

140909 [Administrative Code - Catastrophic Illness Programs]

Ordinance amending the Administrative Code to authorize the Department of Public Health to designate another City department to carry out various functions in the administration of the Catastrophic Illness Program for City employees and the Catastrophic Illness Program for family members of City employees. (Public Health Department)

08/29/14; RECEIVED FROM DEPARTMENT.

09/09/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/9/2014.

PROPOSED RESOLUTIONS

140907 [Annual Performance Contract Renewal - California Department of Health Care Services - Mental Health Services]

Resolution retroactively approving Performance Contract No. 14-90344, between Community Behavioral Health Services and the Department of Health Care Services, incorporating the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, the Mental Health Plan, and Community Mental Health Services Grant for the period of July 1, 2014, through June 30, 2015; and authorizing the Department of Public Health - Community Behavioral Health Services Director to sign said agreement and any and all amendments in the future. (Public Health Department)

08/26/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140908 [Street Encroachment - 157-24th Avenue]

Resolution granting revocable permission to Kristina Baker to occupy a portion of the public right-of-way to construct and maintain a portion of a new two car garage, new terraced concrete retaining walls, reconstruct existing public concrete stairway, and install and maintain additional landscaping within the existing sloped and landscaped portion of the 24th Avenue public right-of-way, to access and provide off-street parking for the property at 157-24th Avenue (Assessor's Block No. 1334, Lot No. 006) and making findings of consistency with the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

08/28/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140910 [Lease Renewal - 617 Mission St. - Conner Children's Trust No. 2 - Child Support Services - $1,435,414.56 Total Rent in the First Year]

Resolution authorizing the exercise of an option to extend the term for five years of a lease of 33,998 sq. ft. at 617 Mission Street/109 New Montgomery Street with Edward J. Connor and Douglas G. Moore, Co-Trustees under the Connor Children's Trust No. 2 for the Department of Child Support Services at $121,117.88 monthly for $1,435,414.56 total rent in the first year of the period of January 1, 2015, through December 31, 2019. (Real Estate Department)

08/29/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140911 [Operation Budget Amendment - Municipal Transportation Agency - Free Muni for Special Education Services Students - FY2015-2016]

Resolution approving an amendment to the San Francisco Municipal Transportation Agency's FY2015-2016 Operating Budget to provide free Muni service to 19 to 22 year-old students enrolled in the San Francisco Unified School District's Special Education Services Program. (Municipal Transportation Agency)

08/29/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:24 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, September 16, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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SEP 19 2014

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DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

140964 [Formal Policy Discussions - September 16, 2014]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted from the Supervisor representing District 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. I have been working on acquiring a property at 66 Raymond Avenue to use as an intergenerational space for community programming and services in the Visitacion Valley community. This acquisition has been complicated due to the nature of the ownership and history of the property. Throughout this process, you have expressed support for this acquisition. What is your vision for this space and how can you help move this acquisition forward? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

140595 [Professional Services Agreement - Waiving Competitive Solicitation Requirement to Procure Specialized Environmental Services - East Harbor Marina Sediment Remediation and Facility Renovation Project - Leidos, Inc. - Not to Exceed $1,970,000]

Ordinance waiving the competitive solicitation requirement under Administrative Code, Section 6.40, and authorizing the General Manager of the Recreation and Parks Department to enter into a professional services agreement with Leidos, Inc., in an amount not to exceed $1,970,000 for the purpose of performing specialized environmental services for the San Francisco East Harbor Marina Sediment Remediation and Facility Renovation Project, to commence following Board approval. (Recreation and Park Department)
(Fiscal Impact)

FINALLY PASSED

140873 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2014-2015]

Sponsor: Mayor

Ordinance levying property taxes at a combined rate of $1.1743 on each $100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District and establishing a pass-through rate of $0.0880 per $100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2015.
(Fiscal Impact)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140918 [Appropriation - Legal Services for Unaccompanied Children and Families - Mayor's Office of Housing - $2,127,600 - FYs 2014-2015 and 2015-2016]

Sponsors: Campos; Avalos, Yee and Mar

Ordinance appropriating $2,127,600 from the General Fund Reserve to the Mayor's Office of Housing, $1,063,800 in FY2014-2015 and $1,063,800 in FY2015-2016, for legal services for unaccompanied children and families on the San Francisco Immigration Court's expedited removal docket.

(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140754 [Sublease and Property Management Agreement - John Stewart Company - Treasure and Yerba Buena Islands Market Rate Rental Housing - $632,806 Yearly Base Rent]

Resolution approving a Sublease and Property Management Agreement for Treasure and Yerba Buena Islands market rate rental housing between the Treasure Island Development Authority and the John Stewart Company, with a yearly base rent of $632,806 for a seven-year term, to commence following Board approval, with a three-year option to extend. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140921 [Revolving Fund Agreement - California Victim Compensation and Government Claims Board - Burial or Emergency Relocation of Homicide Victims - $75,000]

Sponsor: Breed

Resolution retroactively authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving fund in the amount of $75,000 to be used to pay for verified funeral/burial, relocation, crime scene clean-up, and other emergency loss expenses for eligible homicide victims for the period of July 1, 2014, through June 30, 2017.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140922 [Accept In-Kind Gift - Vera Institute of Justice - Prosecution and Racial Justice Program Technical Assistance - $408,654]

Sponsor: Breed

Resolution retroactively authorizing the Office of the District Attorney to accept an in-kind gift of Prosecution and Racial Justice Program technical assistance valued at $408,654 from the Vera Institute of Justice for the grant period of January 1, 2014, through June 30, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140931 [Accept and Expend Grant - Vera Institute of Justice - Preventing Crime and Victimization - $228,283]

Sponsor: Chiu

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a technical assistance grant valued at $228,283 from the Vera Institute of Justice, funded by the Foundation to Promote Open Society, for the grant period of June 1, 2014, through May 31, 2016, to enhance the Office's Community Safety and Performance Strategy, to prevent crime and victimization by improving operational performance through research and data-driven approaches to prosecution.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140120 [Building Code - Earthquake Performance Evaluation of Private School Structures]

Sponsors: Mayor; Breed, Campos, Chiu, Farrell, Mar, Tang, Wiener and Yee

Ordinance amending the Building Code to 1) require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, 2) assess a fee for Building Department review and related evaluation processing, 3) exempt certain buildings from the evaluation requirements, 4) provide that buildings where voluntary seismic retrofit work is done to specified standards shall not be identified as a seismic hazard under later-enacted local building standards, and 5) require that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Avalos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos introduced, welcomed, and presented Certificates of Honor to William Garcia, Walter Garcia, Bryan Suchi, Edwin Suchi, Natali Ulloa, Fatima Ulloa, Axa Gutierrez Ramos, Luis Antonio Cornejo Giron, Marilin Corina De Leon Salazar, Sthefany Paola Villalobos Moreno, and Melquin Ivan Cabrera Reyes in recognition of their bravery in telling their stories at the September 10, 2014, Budget and Finance Committee Meeting.

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

140939 [Board Response - Civil Grand Jury - The Port of San Francisco, Caught Between Public Trust and Private Dollars]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "The Port of San Francisco, Caught Between Public Trust and Private Dollars;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140940 [Board Response - Civil Grand Jury - Rising Sea Levels...At Our Doorstep]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Rising Sea Levels...At Our Doorstep;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140941 [Board Response - Civil Grand Jury - Ethics in the City: Promise, Practice or Pretense]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Ethics in the City: Promise, Practice or Pretense;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Breed was noted absent at 3:02 p.m., and noted present at 3:17 p.m.
Supervisor Campos was noted absent at 3:40 p.m., and noted present at 3:49 p.m.

PUBLIC COMMENT

Reuben Goodman; expressed various concerns relating to evictions for the mental health community.
Christopher Dahl; expressed various concerns relating to personal transit.
Male Speaker; expressed various concerns relating to domestic violence.
Male Speaker; expressed various concerns.
Antonio Gonzales; expressed various concerns relating to mascots, institutional racism, and human rights in sports.
Bonnie Kwon; spoke in support of proposed legislation relating to ban against sex-selection abortions.
Avani Mody; spoke in support of proposed legislation relating to ban against sex-selection abortions.
Maria Nakae; spoke in support of proposed legislation relating to ban against sex-selection abortions.
Chelsea Gelbart; spoke in support of proposed legislation relating to ban against sex-selection abortions.
Male Speaker; expressed various religious concerns.
Tom Gilberty; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140958 [Supporting California Proposition 47 - The Safe Neighborhoods and Schools Initiative]

Sponsor: Chiu

Resolution supporting California Proposition 47 to reduce the penalties for certain non-serious and non-violent property and drug crimes, save the State money, and invest in crime prevention programs.

ADOPTED

140960 [Cost of Living Adjustment to the Contract for Budget and Legislative Analyst Services - FYs 2014-2015 and 2015-2016]

Motion to enact a 3.00 percent Cost of Living Adjustment (COLA) to the current $2,000,000 contract for Budget and Legislative Analyst Services, to be effectuated no earlier than October 1, 2014, resulting in a 2.25 percent, or $45,000, increase to the contract in FY2014-2015 and directing the Clerk of the Board to take all necessary administrative action to amend the contract accordingly and further directing the Clerk of the Board to include the annualized cost of the 3.00 percent COLA in the Department of the Board of Supervisors' FY2015-2016 proposed budget. (Clerk of the Board)

Motion No. M14-154

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File No. 140956 be severed so that it may be considered separately.

140956 [Recognizing San Francisco's Camp Mather and Commending Those Who Helped Save it from the Rim Fire of 2013]

Sponsors: Avalos; Tang, Kim and Farrell

Resolution recognizing the 90th Anniversary of San Francisco's Camp Mather, and commending those who helped save Camp Mather, located in the Stanislaus National Forest, from the devastating Rim Fire of August 17, 2013, through October 25, 2013.

Supervisors Tang, Kim, and Farrell requested to be added as co-sponsors.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu requested that File No. 140959 be severed so that it may be considered separately.

140959 [Opposing Sex-Selective Abortion Bans]

Sponsors: Chiu; Kim, Tang, Breed, Cohen and Mar

Resolution affirming San Francisco's opposition to "Sex-Selective Abortion Bans" that perpetuate racial stereotypes.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

140798 [Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]
Ordinance amending the Business and Tax Regulations Code by: 1) revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; 2) clarifying penalty and interest provisions; 3) clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; 4) clarifying when annual adjustments must be made to the business registration fee; 5) clarifying the basis of the business registration fee; and 6) deleting obsolete registration provisions. (Treasurer-Tax Collector)

07/11/14; RECEIVED FROM DEPARTMENT.

07/22/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/21/2014.

08/15/14; REFERRED TO DEPARTMENT.

09/02/14; RECEIVED FROM DEPARTMENT.

09/16/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

140947 [Settlement of Lawsuit - Carpenter's Union Local 22 - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for $60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney)

09/08/14; RECEIVED FROM DEPARTMENT.

09/16/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

140945 [California Environmental Quality Act Findings and Mitigation Agreements - Various Cemeteries and the California Golf Club - Regional Groundwater Storage and Recovery Project]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to funding for the Regional Groundwater Storage and Recovery Project; and authorizing the General Manager of the Public Utilities Commission to enter into mitigation agreements with Cypress Lawn Memorial Park Cemetery, Eternal Home Cemetery, Hills of Eternity/Home of Peace/Salem Cemeteries, Holy Cross Catholic Cemetery, Italian Cemetery, Olivet Cemetery, Woodlawn Cemetery, and the California Golf Club for an indefinite term beginning upon execution of the agreements. (Public Utilities Commission)

09/08/14; RECEIVED FROM DEPARTMENT.

09/16/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140946 [Lease Amendments - Bay Area Restaurant Group, JV - Bayport Concessions, LLC - SSP America, Inc. - Gotham Enterprises, LLC - Sankaku, Inc. - Airport Concessions]

Resolution approving Amendment No. 1 to Domestic Terminal Food and Beverage Lease No. 03-0184 with Bay Area Restaurant Group, JV ("Max's Eatz" and "Max's the Greek") for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of $36,103.00; No. 03-0183 with Bayport Concessions, LLC ("Willow Creek Grill") for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of $34,237.00; No. 03-0200 with SSP America, Inc. ("Anchor Steam") for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of $150,329.00; and Amendment No. 2 to No. 03-0193 with Gotham Enterprises, LLC ("Peet's Coffee & Tea") for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of $36,487.00; and No. 03-0180 with Sankaku, Inc. ("Sankaku") for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of $37,125.00; and the City and County of San Francisco, acting by and through its Airport Commission, to commence following Board approval. (Airport Commission)

09/05/14; RECEIVED FROM DEPARTMENT.

09/16/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:06 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, September 30, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

140846 [Contracting Process for the Police Department Traffic Company and Forensic Services Division Project]

Ordinance modifying the requirements of Administrative Code, Section 6.68(H), to authorize the Director of Public Works to issue Requests for Proposals to pre-qualified Construction Managers/General Contractors (CM/GC) and their teams of pre-qualified core trade subcontractors to design-build the mechanical, electrical, plumbing, and exterior building envelope scopes of work for the Traffic Company and Forensic Services Division Project; use cost and non-cost criteria to evaluate the design-build proposals for the core trade work; and award a prime contract to the CM/GC based in part on an evaluation of cost and non-cost criteria for the core trade work; and making environmental findings. (Public Works Department)
(Fiscal Impact)

FINALLY PASSED

140851 [Appropriation and De-Appropriation - Surplus Expenditure of $12,292 Supporting Increased Overtime Expenditures - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $12,292 to overtime and de-appropriating $12,292 in fringe benefits in the Public Utilities Commission Bureau Operating Budget to support the department's projected increases in overtime as required per Ordinance No. 194-11 retroactive to June 30, 2014.

FINALLY PASSED

140852 [Appropriation and De-Appropriation - Surplus Expenditure of $79,437 Supporting Increased Overtime Expenditures - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $79,437 to overtime and de-appropriating $79,437 in salaries in the Public Utilities Commission Water Enterprise Department Operating Budget to support the department's projected increases in overtime as required per Ordinance No. 194-11 retroactive to June 30, 2014.

FINALLY PASSED

140853 [Appropriation and De-Appropriation - Surplus Expenditure of $193,935 Supporting Increased Overtime Expenditures - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $193,935 to overtime and de-appropriating $193,935 in salaries in the Public Utilities Commission Wastewater Enterprise Department Operating Budget to support the department's projected increases in overtime as required per Ordinance No. 194-11 retroactive to June 30, 2014.

FINALLY PASSED

140917 [Remarketing of Finance Corporation Lease Revenue Bonds Series 2008-1 and 2008-2 (Moscone Center Expansion Project)]

Sponsor: Mayor

Ordinance approving the remarketing of the City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-1 (Moscone Center Expansion Project) and City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-2 (Moscone Center Expansion Project); approving the form of a reimbursement agreement among the City and County of San Francisco, the City and County of San Francisco Finance Corporation, and the State Street Bank and Trust Company; approving the form of an amended and restated reimbursement agreement; approving the form of a fee agreement; approving the form of an amended and restated fee agreement; approving the form of a remarketing supplement; approving the form of custodian agreement; approving the form of amended and restated custodian agreement; granting general authority to City officials to take necessary actions in connection with the remarketing of the Bonds; approving modifications to documents; approving the execution and delivery of certain documents described herein and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

140724 [Planning Code - Nighttime Entertainment and Uses Greater than 25,000 Square Feet in Western SoMa]

Sponsors: Kim; Campos and Wiener

Ordinance amending the Planning Code to authorize Elementary and Secondary Schools and Child Care uses to exceed 25,000 square feet in the Regional Commercial District, authorize a Nighttime Entertainment use in the Western SoMa Mixed Use-Office Zoning District within 200 feet of any property within a Residential Enclave or Residential Enclave-Mixed District where a Nighttime Entertainment use legally operated within five years prior to an application to re-establish the use, allow Nighttime Entertainment as a permitted use within the Western SoMa Mixed Use-Office Zoning District; and affirming the Planning Department's California Environmental Quality Act determination and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

140845 [Settlement of Lawsuit - Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. - $175,000]

Ordinance authorizing settlement of the lawsuit filed by Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr., against the City and County of San Francisco for $175,000; the lawsuit was filed on May 2, 2011, in United States District Court, Case No. C11-02162 LB; entitled Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140892 [Settlement of Lawsuit - Margarita Herrera - $475,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for $475,000; the lawsuit was filed on June 5, 2013, in San Francisco Superior Court, Case No. CGC 13-531901; entitled Herrera v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140904 [Settlement of Lawsuit - Justin Neisuler - $63,000]

Ordinance authorizing settlement of the lawsuit filed by Justin Neisuler against the City and County of San Francisco for $63,000; the lawsuit was filed on December 4, 2012, in San Francisco Superior Court, Case No. CGC-12-526598; entitled Justin Neisuler v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140905 [Settlement of Lawsuit - Sean Alexander Hold - $210,000]
Ordinance authorizing settlement of the lawsuit filed by Sean Alexander Hold against the City and County of San Francisco for $210,000; the lawsuit was filed on December 16, 2013, in the United States District Court for the Northern District of California, Case No. C13-5814 CW; entitled Sean Alexander Hold v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140906 [Settlement of Lawsuit - Eduardo Alegrett - $285,000]
Ordinance authorizing settlement of the lawsuit filed by Eduardo Alegrett against the City and County of San Francisco for $285,000; the lawsuit was filed on October 29, 2012, in the United States District Court for the Northern District of California, Case No. C-12-5538-MEJ; entitled Eduardo Alegrett v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140867 [Settlement of Grievance - Pamela Arons - $130,000]
Resolution approving settlement of the unlitigated grievance (ERD No. 45-08-1876) of Pamela Arons against the City and County of San Francisco for $130,000; Service Employees International Union, Local 1021, notified the City of the grievance entitled Grievance of Pamela Arons, on June 30, 2008. (City Attorney)

ADOPTED

140868 [Settlement of Claim - Isa and Vegar Svanemyr - $15,130,000]
Resolution approving the settlement of the unlitigated claims filed by Isa and Vegar Svanemyr against the City and County of San Francisco for $15,130,000 to be paid in three installments; claim was filed on November 8, 2013. (City Attorney)

ADOPTED

140869 [Settlement of Claim - Wendy and Johnny Tseng - $114,074.63]
Resolution approving the settlement of the unlitigated claim filed by Wendy and Johnny Tseng against the City and County of San Francisco for $114,074.63; claim was filed on January 21, 2014. (City Attorney)

ADOPTED

140870 [Settlement of Claim - Lisa Howe - $35,000]
Resolution approving the settlement of the unlitigated claim filed by Lisa Howe against the City and County of San Francisco for $35,000; claim was filed on October 17, 2013. (City Attorney)

ADOPTED

140893 [Settlement of Claim - Janie Vargas and Stanley E. Pond - $55,000]
Resolution approving the settlement of the unlitigated claim filed by Janie Vargas and Stanley E. Pond, Esq., against the City and County of San Francisco for $55,000; claim was filed on March 3, 2014. (City Attorney)

ADOPTED

140966 [Appointment, Park, Recreation and Open Space Advisory Committee - Jane Weil]

Motion appointing Jane Weil, term ending February 1, 2015, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M14-161

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

140777 [Landmark Tree Designation - Giant Sequoia Located at 3066 Market Street]

Sponsors: Wiener; Campos

Ordinance designating the Giant Sequoia (Sequoiadendron giganteum) tree at 3066 Market Street (Assessor's Block No. 2656, Lot. No. 020) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation as detailed in the Ordinance.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140860 [Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement from October 1, 2014, to September 30, 2015. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140910 [Lease Renewal - 617 Mission Street - Conner Children's Trust No. 2 - Child Support Services - $1,453,414.56 Total Rent in the First Year]

Resolution authorizing the exercise of an option to extend the term for five years of a lease of 33,998 sq. ft. at 617 Mission Street/109 New Montgomery Street with Edward J. Connor and Douglas G. Moore, Co-Trustees under the Connor Children's Trust No. 2, for the Department of Child Support Services at $121,117.88 monthly for $1,453,414.56 total rent in the first year for the period of January 1, 2015, through December 31, 2019. (Real Estate Department) (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140926 [Apply for Grant - Ryan White Act HIV/AIDS Emergency Relief - $36,118,233]

Sponsors: Wiener; Campos

Resolution authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A) Grant from the Health Resources Services Administration, requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2015, through February 28, 2016.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140927 [Apply for Grant - Comprehensive HIV Prevention Programs - CY2015 - $8,174,213]

Sponsors: Wiener; Campos

Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2015 to continue to receive funding for the Comprehensive HIV Prevention Programs Grant from the Centers for Disease Control and Prevention, requesting $8,174,213 in HIV prevention funding for San Francisco from January 1, 2015, through December 31, 2015.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140935 [Accept and Expend Grant - University of California - Centers for Disease Control and Prevention Kenya - Monitoring and Evaluation - $378,524]

Sponsor: Wiener

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $378,524 from the University of California San Francisco to participate in a program entitled Centers for Disease Control and Prevention Kenya - Monitoring and Evaluation for the period of September 30, 2013, through September 29, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140955 [Increase of Wastewater Enterprise Commercial Paper Program - Not to Exceed $500,000,000]

Sponsor: Mayor

Resolution authorizing an increase of the principal amount of the Wastewater Enterprise's Commercial Paper Program by $200,000,000 from a principal amount not to exceed $300,000,000 to a principal amount not to exceed $500,000,000 to be issued from time to time by the Public Utilities Commission to finance various capital projects benefitting the Wastewater Enterprise, each pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140983 [Master Lease - 250 Kearny Street, LLC - 136 Residential Units - $161,840 Monthly Initial Rent]

Sponsors: Mayor; Chiu and Farrell

Resolution authorizing the execution and acceptance of a Residential Master Lease by and between the City and County of San Francisco and 250 Kearny Street, LLC, a California Limited Liability Company, for the real property located at 250 Kearny Street, providing 136 units of affordable housing primarily for chronically homeless veterans, with a monthly initial rent amount of $161,840 for a ten-year term to commence October 1, 2014, with one five-year option to extend.
(Fiscal Impact)

Privilege of the floor was granted to John Updike, Director, Real Estate Division, Amanda Fried (Housing Opportunity, Partnerships & Engagement), and Bevan Dufty, Director, Housing Opportunity, Partnerships & Engagement, who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140984 [Agreement Amendment - Armed and Unarmed Security Services - Cypress Security, LLC - Not to Exceed $35,900,000]

Sponsor: Avalos

Resolution approving the Seventh Amendment to the Armed and Unarmed Security Services Agreement between the City, through the Municipal Transportation Agency, and Cypress Security, LLC, to increase the amount of the contract by $3,000,000 for a total contract amount not to exceed $35,900,000 and extending the term for six months until March 31, 2015.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140911 [Operating Budget Amendment - Municipal Transportation Agency - Free Muni for Special Education Services Students - FY2015-2016]

Sponsor: Campos

Motion supporting an amendment to the San Francisco Municipal Transportation Agency's FY2015-2016 Operating Budget to provide free Muni service to low and moderate income 19 to 22 year-old students enrolled in the San Francisco Unified School District's Special Education Services Program, and affirming the Municipal Transportation Agency's determination under the California Environmental Quality Act.

Supervisor Campos requested to be added as the primary sponsor.

Motion No. M14-162

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140854 [Administrative Code - Film Production Fees and Notice Requirements]

Sponsor: Cohen

Ordinance amending the Administrative Code to add "web series" to the schedule of film production use fees and to establish notice requirements to affected residents and businesses for film productions that will result in parking or traffic obstructions lasting four consecutive hours or more.

Supervisor Cohen, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

140897 [Confirming Appointment, Treasure Island Development Authority Board of Directors - Jeff Kositsky]

Sponsor: Mayor

Motion confirming the Mayor's appointment of Jeff Kositsky to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending April 28, 2018.

Motion No. M14-163

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140969 [Appointment, Commission of Animal Control and Welfare - Julene Johnson]
Motion appointing Julene Johnson, term ending April 30, 2015, to the Commission of Animal Control and Welfare. (Rules Committee)

Motion No. M14-164

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Campos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to First Lieutenant Dennis Cornell and Jonathan Raley to congratulate them on their marriage and in recognition of their accomplishments and efforts in achieving equality for all. Privilege of the floor was granted to Jason Brock who shared in the commendation through song. Supervisors Campos and Chiu shared in this recognition.

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

140942 [Board Response - Civil Grand Jury Report - Inquiry into the Operation and Programs of the San Francisco Jails]
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Inquiry into the Operation and Programs of the San Francisco Jails;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140943 [Board Response - Civil Grand Jury Report - The Mayor's Office of Housing, Under Pressure and Challenged to Preserve Diversity]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "The Mayor's Office of Housing, Under Pressure and Challenged to Preserve Diversity;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140951 [Zoning - Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Sponsors: Kim; Avalos, Campos, Chiu, Mar and Cohen

Urgency Ordinance approving an interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west, for 45 days; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Rick Caldeira, Legislative Deputy, indicated that due to the urgent nature of this Ordinance, pursuant to Government Code, Section 36934, the action to be considered by the Board of Supervisors on this matter shall be 'Finally Passed.'

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to police cameras.
Christopher Dahl; expressed concerns relating to rising sea levels.
John DiDonna; expressed concerns relating to restrooms in Muni stations.
Charles Melancon; expressed various concerns relating to work and evictions.
Male Speaker; expressed various religious concerns.
Tom Gilberty; expressed various concerns relating to tenancies in common.
Peter Warfield; expressed concerns relating to privacy and confidentiality on the internet.
Jackee Bryson; expressed concerns relating to meetings and noticing.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141008 [Urging the Successful Resolution of Negotiations Between the San Francisco Unified School District and the United Educators of San Francisco]

Sponsors: Mar; Campos, Cohen and Avalos

Resolution urging the successful resolution of negotiations between the San Francisco Unified School District and the United Educators of San Francisco to avoid a strike and an interruption to the education of San Francisco's students.

REFERRED to the Neighborhood Services and Safety Committee

141009 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M14-165

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

140977 [Airport Professional Services Agreement Modification - Transcore, LP - Ground Transportation and Taxi Management System - Not to Exceed $10,892,674]

Resolution approving Modification No. 1 to Professional Services Agreement, Airport Contract 8841R, to design, develop, install, and maintain an integrated Ground Transportation and Taxi Management System between TransCore, LP, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $10,892,674 pursuant to Charter, Section 9.118(b), and extending the term for one year through June 30, 2016. (Airport Commission)

09/15/14; RECEIVED FROM DEPARTMENT.

09/30/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140978 [Agreement Amendments - Crestwood Behavioral Health Services and Mental Health Management, Inc. dba Canyon Manor - $117,451,707]

Resolution approving amendments to each of two agreements for long term mental health services in 24-hour locked facilities between the Department of Public Health and Crestwood Behavioral Health Services, by $34,488,709 from $51,728,151 to $86,216,860; Mental Health Management I, Inc., dba Canyon Manor, by $4,704,300 from $26,530,547 to $31,234,847 for a combined increase of $117,451,707 with an extension of the term for three years and eight months, for a total contract term of October 1, 2008, through June 30, 2018. (Public Health Department)

09/15/14; RECEIVED FROM DEPARTMENT.

09/30/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140989 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons With AIDS Programs - FY2015-2016]

Resolution supporting FY2015-2016 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

09/19/14; RECEIVED FROM DEPARTMENT.

09/30/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140997 [Real Property Leases - Multiple Landlords - Communications Services Facilities in Multiple Locations - $90,500 Total Annual Initial Year Base Rent]

Resolution authorizing the General Manager of the Public Utilities Commission to enter into: 1) a new communications site lease with Communication and Control, Inc., as Landlord for existing and new microwave communications antennas, radio communications, and other general telecommunications facilities on Alameda County Assessor's Parcel No. 096-0090-005-007 for a term up to 25 years at an initial rent of approximately $57,000 with 3% annual rent increases; 2) a new amendment to an existing communications site sublease with Communication and Control, Inc., as sublandlord for existing and new microwave communications, radio communications, and other general telecommunications facilities on Contra Costa County Assessor's Parcel No. 006-070-021 for a term up to 25 years at an initial rent of approximately $14,900 with 3% annual rent increases; 3) a license with Tri-Star Investors Inc., as Landlord for new microwave communications antennas, radio communications, and other general telecommunications facilities on a portion of Stanislaus County Assessor's Parcel No. 081-012-004-000 for a term up to 25 years at an initial rent of approximately $18,600 with 3% annual rent increases, for a combined total amount of $90,500 annual initial year base rent; and 4) adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31. (Public Utilities Commission)

09/22/14; RECEIVED FROM DEPARTMENT.

09/30/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:48 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 7, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

OCT 10 2014

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DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:12 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of September 2, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Rules Committee

140845 [Settlement of Lawsuit - Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. - $175,000]

Ordinance authorizing settlement of the lawsuit filed by Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr., against the City and County of San Francisco for $175,000; the lawsuit was filed on May 2, 2011, in United States District Court, Case No. C11-02162 LB; entitled Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

140892 [Settlement of Lawsuit - Margarita Herrera - $475,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for $475,000; the lawsuit was filed on June 5, 2013, in San Francisco Superior Court, Case No. CGC 13-531901; entitled Herrera v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

140904 [Settlement of Lawsuit - Justin Neisuler - $63,000]

Ordinance authorizing settlement of the lawsuit filed by Justin Neisuler against the City and County of San Francisco for $63,000; the lawsuit was filed on December 4, 2012, in San Francisco Superior Court, Case No. CGC-12-526598; entitled Justin Neisuler v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

140905 [Settlement of Lawsuit - Sean Alexander Hold - $210,000]

Ordinance authorizing settlement of the lawsuit filed by Sean Alexander Hold against the City and County of San Francisco for $210,000; the lawsuit was filed on December 16, 2013, in the United States District Court for the Northern District of California, Case No. C13-5814 CW; entitled Sean Alexander Hold v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

140906 [Settlement of Lawsuit - Eduardo Alegrett - $285,000]

Ordinance authorizing settlement of the lawsuit filed by Eduardo Alegrett against the City and County of San Francisco for $285,000; the lawsuit was filed on October 29, 2012, in the United States District Court for the Northern District of California, Case No. C-12-5538-MEJ; entitled Eduardo Alegrett v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the Consent Agenda

Supervisor Cohen requested that File No. 140857 be severed so that it may be considered separately.

Recommendation of the Land Use and Economic Development Committee

140857 [Supporting and Encouraging the Development of a Policy to Prohibit the Transportation and Export of Hazardous Materials]

Sponsors: Cohen; Wiener, Mar, Campos and Avalos

Resolution supporting and encouraging the Department of the Environment and the Port in developing a policy to prohibit the transportation and export of hazardous fossil fuel materials including crude oil, coal, and petroleum coke in the City and County of San Francisco.

Supervisors Mar, Campos, and Avalos requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

140854 [Administrative Code - Film Production Fees and Notice Requirements]
Sponsor: Cohen

Ordinance amending the Administrative Code to add "web series" to the schedule of film production use fees and to establish notice requirements to affected residents and businesses for film productions that will result in parking or traffic obstructions lasting four consecutive hours or more.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140928 [Contract Amendment - AnsaldoBreda, Inc. - Light Rail Vehicle Reconditioning and Systems Rehabilitation - Not to Exceed - $74,649,614]
Sponsor: Wiener

Resolution approving Amendment No. 2 to Contract No. APT 591.01, LRV Doors and Steps Reconditioning and Systems Rehabilitation, between the City and County of San Francisco, through the Municipal Transportation Agency, and AnsaldoBreda, Inc., to remove the doors and steps and air supply unit work from the project scope and shift the balance of the money to rehabilitate the trucks of 41 LRVs, with three options to rehabilitate the trucks of 24, 24 and 23 LRVs, respectively, if funds become available, for a total contract amount not to exceed $74,649,614.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141007 [Multifamily Housing Revenue Bonds - 588 Mission Bay Boulevard North (aka, Mission Bay South Block 7 West) - Not to Exceed $60,000,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $60,000,000 for 588 Mission Bay Boulevard North (also known as, Mission Bay South Block 7 West); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $60,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein and the Application, as defined herein.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140381 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]

Sponsor: Chiu

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Jon Givner and Marlena Byrne, Deputy City Attornies, and Rosemary Bosque (Department of Building Inspection), and Scott Sanchez (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Chiu, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED by making amendments relating to clerical corrections, clarifying the types of Home Owners Associations considered Interested Parties, and clarifying enforcement against Hosting Platforms, as offered by Jon Givner, Deputy City Attorney. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu, seconded by Supervisor Breed, moved that this Ordinance be AMENDED by clarifying the private right of action in section 41A.5(d), as offered by Marlena Byrne, Deputy City Attorney. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Breed, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED in Section 41A.6 establishing time frame for Planning Department to inform a complainant that it has found no violation. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Farrell, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED in Section 41A.4 by adding Owner to the definition of Interested Party and clarifying the types of Home Owners Associations considered Interested Parties. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Yee proposed an amendment to exclude short term rentals in RH-1 and RH-1(D) districts. The motion died due to a lack of a second.

Supervisor Yee, seconded by Supervisor Mar, moved that this Ordinance be AMENDED in Section 41A.5(g)(2) limiting short term rentals to 90 days and adding other restrictions for residential units located in RH-1(D) zoning districts. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED in Section 41A.5 relating to date for determining adequacy of fees. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Wiener, seconded by Supervisor Yee, moved that this Ordinance be AMENDED in Section 41A.5 relating to mailed notices to any directly associated Home Owner Association that has previously requested such notice in RH-1(D) zoning districts. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED in Section 41A.5 allowing short term rentals no more than 90 days per year. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener
Noes: 4 - Avalos, Campos, Mar, Yee

DUPLICATED AS AMENDED. See File No. 141036.

141036 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Duplicated as Amended from File No. 140381.

Supervisor Mar, seconded by Supervisor Campos, moved that this Ordinance be AMENDED in Section 41A.4 prohibiting short term rentals in legal in law units. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Mar, seconded by Supervisor Yee, moved that this Ordinance be AMENDED relating to short term rentals in subsidized affordable units. Supervisor Mar withdrew the motion.

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be AMENDED in Section 41A.5(d) relating to ability of certain non-profit organizations to bring civil actions regarding violations in rent controlled units. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 3 - Farrell, Tang, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED in Section 41A.5 making the ordinance operative only after certification by the Treasurer/Tax Collector that all Hosting Platforms have remitted all Transient Occupancy Taxes due and payable. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Campos, seconded by Supervisor Breed, moved that this Ordinance be AMENDED in Section 41A.4(d) by prohibiting short term rentals in certain units that have been the subject of an eviction under the Ellis Act. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Kim, Mar, Wiener, Yee
Noes: 3 - Chiu, Farrell, Tang

Supervisor Breed, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED in Section 41A.5(d) relating to ability of certain non-profit organizations to bring civil actions regarding violations in certain units that have been the subject of an eviction under the Ellis Act. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu, seconded by Supervisor Cohen, moved that this Ordinance be RE-REFERRED AS AMENDED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140775 [Planning Code - Amending Definition of Residential Unit and Residential Conversion Requirements]

Sponsor: Avalos

Ordinance amending the Planning Code to amend the definition of Residential Unit and clarify the requirements for a Residential Conversion of a Residential Hotel Unit regulated under Administrative Code, Chapter 41; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Avalos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Monique Zmuda, Deputy Controller, in recognition of 37 years of distinction, professionalism, and dedication to the City and County of San Francisco upon her retirement Supervisors Avalos, Tang, Farrell, Campos, Wiener, Angela Calvillo, Clerk of the Board, and Ben Rosenfield, Controller, shared in this commendation.

Privilege of the floor was granted to Monique Zmuda and Ben Rosenfield into the well for a photograph, this privilege was approved without objection.

COMMITTEE REPORTS

Recommendations of the Neighborhood Services and Safety Committee

140240 [Liquor License Transfer - 186-2nd Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 500 Precita Avenue to 186-2nd Street (District 6), to Oussama Manaa for SoMa Restaurant Group, Inc., dba Soma Eats, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140464 [Liquor License - 2200B Market Street]

Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises license to Tiffny Vergara Chung for Project 22, dba Brewcade, located at 2200B Market Street (District 8), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140797 [Liquor License Transfer - 601 Van Ness Avenue]

Resolution determining that the transfer of a Type 21 off-sale general license from 4686 18th Street to 601 Van Ness Avenue (District 5), to Salma Suleyman for Opera Plaza Deli and Taqueria, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140916 [Liquor License Transfer - 1607 20th Street]

Resolution determining that the transfer of a Type 21 on-sale general license from 698 Vermont Street to 1607 20th Street (District 10), to Khaled Ghanma for All States Best Foods, will serve the public convenience or necessity of City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Rules Committee

Supervisor Breed Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisor Breed be excused from voting on File No.141012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

141012 [Appointment, Committee on City Workforce Alignment - Supervisor London Breed]

Motion appointing Supervisor London Breed to the Committee on City Workforce Alignment, for an indefinite term. (Clerk of the Board)

Motion No. M14-166

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

Recommendation of the Land Use and Economic Development Committee

140952 [Administrative Code - Better Streets Policy - Including the National Association of City Transportation Officials Urban Design Guides]

Sponsor: Wiener

Ordinance amending the Administrative Code to include the National Association of City Transportation Officials Urban Street Design Guide and Urban Bikeway Design Guide as an additional reference in City transportation planning and design projects and programs.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Dale Seymour; expressed various concerns relating to the Tenderloin.
Ray Hartz (San Francisco Open Government); expressed various concerns relating to the Sunshine Ordinance, public records act, and general public comment.
Male Speaker; shared in poem certain concerns with the Board.
Male Speaker; expressed various concerns relating to toxic materials in althletic fields.
Male Speaker; expressed various religious concerns.
Kate Bernier; expressed various concerns relating to spraying of pesticides.
Roberto Traina; expressed various concerns relating to spraying of pesticides.
Resident No. 1; expressed various concerns relating to harassment and retaliation for the blind community.
Resident No. 2; expressed various concerns relating to harassment and retaliation for the blind community.
Tom Gilberty; expressed various concerns relating to property sales and taxes.
Larry Edmund Juizye; expressed various concerns relating to housing and domestic violence.
Jackie Bryson; expressed concerns relating to non-profit meetings within the Administrative Code.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

141028 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization Authority]

Sponsor: Farrell

Motion that the Board of Supervisors convene in closed session on October 21, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding the proposed continuance to October 21, 2014. There were no speakers. The President declared public comment closed.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to October 21, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Budget and Finance Committee

140709 [Joint Powers Agreement - Establishing a Homeownership Stabilization Authority]

Sponsors: Avalos; Campos, Mar and Kim

Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to October 21, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141026 [Domestic Violence Awareness Month - October 2014]

Sponsors: Chiu; Tang and Mar

Resolution declaring October 2014 as Domestic Violence Awareness Month in the City and County of San Francisco.

Supervisors Tang and Mar requested to be added as co-sponsors.

ADOPTED

141027 [Monique Zmuda Day - October 18, 2014]
Sponsors: Chiu; Tang and Mar
Resolution commending and honoring Monique Zmuda, Deputy Controller, for her distinguished service to the residents of the City and County of San Francisco upon the occasion of her retirement, and declaring October 18, 2014, as Monique Zmuda Day in the City and County of San Francisco.

Supervisors Tang and Mar requested to be added as co-sponsors.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

141013 [Airport Concession Domestic Terminal Food and Beverage Lease Amendment - Emporio Rulli, Inc. - $120,031 Minimum Annual Guarantee]

Resolution retroactively approving Amendment No. 1 to the Domestic Terminal Food and Beverage Lease No. 03-0201 between Emporio Rulli, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, with a Minimum Annual Guarantee of $120,031 for the lease term through November 18, 2014. (Airport Commission)

09/22/14; RECEIVED FROM DEPARTMENT.

10/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141014 [Construction Management Services Agreement Modification - Jacobs Project Management, Co. - General Hospital Rebuild Program - Not to Exceed $20,874,706]

Resolution authorizing the Director of Public Works to execute Modification No. 6 to a professional construction management services agreement with Jacobs Project Management, Co., for the General Hospital Rebuild Program, and increasing the contract not to exceed amount from $16,400,000 to $20,874,706. (Public Works)

09/26/14; RECEIVED FROM DEPARTMENT.

10/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141015 [Settlement of Grievance - Wah Eng - $67,436.01]

Resolution approving settlement of the unlitigated grievance (ERD No. 02-12-2541) of Wah Eng against the City and County of San Francisco for $67,436.01; Service Employees International Union, Local 1021 notified the City of the grievance entitled Grievance of Wah Eng, on or before July 9, 2012. (City Attorney)

09/29/14; RECEIVED FROM DEPARTMENT.

10/07/14; RECEIVED AND ASSIGNED to Rules Committee.

141016 [Settlement of Claim - SF Third Street Equity Partners, LLC - $103,232.10]

Resolution approving the settlement of the unlitigated claim filed on July 9, 2014, by SF Third Street Equity Partners, LLC, against the City and County of San Francisco for $103,232.10. (City Attorney)

09/29/14; RECEIVED FROM DEPARTMENT.

10/07/14; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:27 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 21, 2014 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

OCT 23 2014

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 9, 2014, and September 16, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

141045 [Formal Policy Discussions - October 21, 2014]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted from the Supervisor representing District 5. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. As we have all now seen in the news, and some San Franciscans have unfortunately experienced personally, we have a crisis in our Fire Department's ambulance system.

The Department is out of compliance with the service level it is obligated to provide under its "Exclusive Operating Area" with the state. It is also failing to meet its own standards for ambulance response times. The City aims to have ambulances on the scene of emergencies within 10 minutes 90% of the time. In July and August the Fire Department's actual response was almost 50% longer than that. There were 374 occasions when it took more than 20 minutes for an ambulance to arrive-in August alone. "Medic-to-follow" calls, when the Fire Department literally does not have an ambulance available to send to someone in need, have increased over 500% since 2008, averaging eight times per day in 2013 and spiking dramatically since. Meanwhile, the Board of Supervisors has approved funding for 16 new ambulances in the last several years, and the Fire Department has still not completed the purchase or put a single one into service.

I know you have convened a working group to develop short-, medium-, and long-term measures to address this crisis, and I thank you for inviting me to join that process.

But I and every employee group in the Fire Department have lost faith in the current leadership of the Department. We saw this crisis coming. I held my first hearing on it in January of 2014. Why was this allowed to get so bad, and what are you doing to hold the leadership of the Fire Department accountable? (Supervisor Breed, District 5)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced question. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

140775 [Planning Code - Amending Definition of Residential Unit and Residential Conversion Requirements]

Sponsor: Avalos

Ordinance amending the Planning Code to amend the definition of Residential Unit and clarify the requirements for a Residential Conversion of a Residential Hotel Unit regulated under Administrative Code, Chapter 41; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

140952 [Administrative Code - Better Streets Policy - Including the National Association of City Transportation Officials Urban Design Guides]

Sponsors: Wiener; Mar

Ordinance amending the Administrative Code to include the National Association of City Transportation Officials Urban Street Design Guide and Urban Bikeway Design Guide as an additional reference in City transportation planning and design projects and programs.

FINALLY PASSED

Recommendations of the Rules Committee

140965 [Appointment, Commission on Aging Advisory Council - Catherine Russo]

Motion appointing Catherine Russo, term ending March 31, 2016, to the Commission on Aging Advisory Council. (Rules Committee)

Motion No. M14-167

APPROVED

140992 [Appointment, SRO Task Force - Raul Fernandez-Berriozabal]

Motion appointing Raul Fernandez-Berriozabal, term ending December 31, 2015, to the SRO Task Force. (Rules Committee)

Motion No. M14-168

APPROVED

140994 [Appointments, Assessment Appeals Board No. 1 - Diane Robinson and Richard Lee]

Motion appointing Diane Robinson and Richard Lee, terms ending September 4, 2017, to the Assessment Appeals Board No. 1. (Rules Committee)

Motion No. M14-169

APPROVED

140995 [Appointments, Assessment Appeals Board No. 2 - Yosef Tahbazof and Edward Campana]

Motion appointing Yosef Tahbazof, term ending September 5, 2016, and Edward Campana, term ending September 4, 2017, to the Assessment Appeals Board No. 2. (Rules Committee)

Motion No. M14-170

APPROVED

140996 [Appointment, Assessment Appeals Board No. 3 - Anne Ferrel]

Motion appointing Anne Ferrel, term ending September 4, 2017, to the Assessment Appeals Board No. 3. (Rules Committee)

Motion No. M14-171

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

140381 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]

Sponsor: Chiu

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED in Administrative Code, Section 41A.5, by allowing short term rentals for no more than 90 days per year. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED in Section 4(a-b), by making the ordinance operative only after the certification by the Treasurer/Tax Collector that all Hosting Platforms have remitted all Transient Occupancy Taxes that are due and payable. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Yee proposed an amendment relating to hosting platforms that have paid their taxes. The motion died due to a lack of a second.

Supervisor Yee, seconded by Supervisor Mar, moved that this Ordinance be AMENDED in Section 41A.5(g)(2) by limiting short term rentals to 90 days and adding other restrictions for residential units located in RH-1(D) zoning districts. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

FINALLY PASSED by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener
Noes: 4 - Avalos, Campos, Mar, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140798 [Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code by revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; clarifying penalty and interest provisions; clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; clarifying when annual adjustments must be made to the business registration fee; clarifying the basis of the business registration fee; and deleting obsolete registration provisions.

Supervisor Chiu requested to be added as the sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140874 [Administrative, Subdivision Codes - Tenant Buyout Agreements]

Sponsors: Campos; Avalos, Kim and Mar

Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenants' rights before the landlord commences buyout negotiations; to require landlords to file a form with the Rent Board indicating the address of the unit that may become the subject of buyout negotiations; to require all buyout agreements to be in writing and to include certain statements about the tenant's rights; to allow tenants to rescind buyout agreements for up to 45 days after the agreements are fully executed; to require landlords to file a copy of buyout agreements with the Rent Board; to require the Rent Board to create a publically available searchable database of buyout agreements; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buyouts; to authorize tenants to bring civil actions for actual damages and civil penalties against landlords who fail to provide the required disclosures about the tenants' rights; to authorize certain non-profits to bring civil actions for a landlord's failure to file a buyout agreement with the Rent Board; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buyout agreements.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 7, Line 12, by changing '52' to '59'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 4 - Breed, Farrell, Tang, Wiener

140979 [Park Code - Flexible Pricing at Gleneagles Golf Course; Lease Amendment - Gleneagles Golf Partners, LP - Operation of Gleneagles Golf Course - Percentage of Gross Revenues]

Sponsor: Cohen

Ordinance amending the Park Code to authorize flexible pricing at Gleneagles Golf Course in McLaren Park; approving the amendment and extension of a lease with Gleneagles Golf Partners, LP, for operation of the Gleneagles Golf Course commencing on the effective date of this Ordinance and ending November 30, 2022, for 7% of gross revenues, subject to conditions, incentives, participation rent, and rent credits; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140759 [Mental Health Services Act 2014-2017 Integrated Plan]

Resolution adopting the Mental Health Services Act 2014-2017 Integrated Plan. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140848 [Grant Agreement Modifications - Institute on Aging - Not to Exceed $38,993,299]

Sponsor: Mar

Resolution approving the grant agreements between the City and County of San Francisco and the non-profit Institute on Aging to provide Adult Day Health/Adult Day Care, Alzheimer's Day Care Resource Center, Case Management, Center for Elderly Suicide Prevention, Citywide Information and Assistance Supervisor, Clinical Supervision Collaborative, Community Living Fund, Elder Abuse Prevention, Forensic Center, Linkages, and Young Adults with Disabilities Home-Delivered Meals Assessment services to seniors and adults with disabilities during the period of July 1, 2010, to June 30, 2019, for a total not to exceed the amount of $38,993,299.
(Fiscal Impact)

Supervisor Mar requested to be added as the sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140907 [Annual Performance Contract Renewal - California Department of Health Care Services - Mental Health Services]

Resolution retroactively approving Performance Contract No. 14-90344 between Community Behavioral Health Services and the Department of Health Care Services, incorporating the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, the Mental Health Plan, and Community Mental Health Services Grant for the period of July 1, 2014, through June 30, 2015. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140920 [Lease Disposition and Development Agreement and Lease and Access License - Geneva Office Building and Powerhouse Rehabilitation - Cameron Beach Rail Yard]

Sponsors: Avalos; Farrell and Mar

Resolution approving and authorizing a Lease Disposition and Development Agreement and 55-year Lease and Access License to the Friends of the Geneva Office Building and Powerhouse for the rehabilitation and use of the Geneva Office Building and Powerhouse for Cameron Beach Rail Yard; affirming a community plan exemption determination by the Planning Department and adopting findings pursuant to the California Environmental Quality Act; authorizing the San Francisco Municipal Transportation Agency Director of Transportation, or designee, to execute and make certain modifications to the Access License; and authorizing the General Manager of the Recreation and Park Department, or designee, to execute certain documents, make certain modifications, and take certain actions in furtherance of this Resolution.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141025 [Apply for Grant - Continuum of Care Program - Not to Exceed $27,000,000]

Sponsor: Mayor

Resolution approving the 2014 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Program with an amount not to exceed $27,000,000; and fulfilling the Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

140247 [Follow-Up Board Response - Civil Grand Jury Report - Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock]

Sponsor: Mar

Motion responding to the Civil Grand Jury request to provide a status update on the Board of Supervisors' response to Recommendation No. 13 contained in the 2011-2012 Civil Grand Jury Report, entitled "Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock;" and urging the Mayor to cause implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

Supervisor Mar requested to be added as the sponsor.

Motion No. M14-172

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130412 [Public Works Code - Installation of Communications Infrastructure in Excavation Projects]

Sponsors: Chiu; Wiener, Cohen and Mar

Ordinance amending the Public Works Code to require the installation of City-owned communications infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's communications infrastructure.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140804 [Planning Code - Arcades in the Haight Street Neighborhood Commercial District]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Planning Code to permit arcades in the Haight Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140806 [Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]

Sponsors: Cohen; Kim and Mar

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

140306 [Health Code - Extending Involuntary Psychiatric Holds]

Ordinance amending the Health Code to authorize the use of an additional 30-day involuntary psychiatric hold, as permitted under California Welfare and Institutions Code, Sections 5270.10-5270.65, and making a finding that this authorization will not result in increased costs to the City or in the reduction of current services. (Human Services Agency)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 1, Line 12, by adding 'to' before 'Article 41', and 'a Division I' after 'Article 41'; and Line 15, by adding 'DIVISION I: PSYCHIATRIC HOLDS'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140881 [2014 Hazard Mitigation Plan]

Sponsor: Mayor

Resolution adopting the 2014 City and County of San Francisco Hazard Mitigation Plan.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

140990 [Appointments, Sunshine Ordinance Task Force - Pixie (Rishi) Chopra and Fiona Hinze]

Motion appointing Pixie (Rishi) Chopra (residency requirement waived) and Fiona Hinze, terms ending April 27, 2015, to the Sunshine Ordinance Task Force. (Rules Committee)

Motion No. M14-173

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140991 [Appointments, Reentry Council - Joseph Calderon, Dominique Rosa Leslie, Ernest Kirkwood, and Kimberli Courtney]

Motion appointing Joseph Calderon, Dominique Rosa Leslie, Ernest Kirkwood, and Kimberli Courtney, terms ending June 1, 2016, to the Reentry Council. (Clerk of the Board)

Motion No. M14-174

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140993 [Appointments, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - John Bogacki and Rob Gitin]

Motion appointing John Bogacki, term ending August 2, 2015, and Rob Gitin, term ending August 2, 2017, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Rules Committee)

Motion No. M14-175

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

RESTAURANT APPRECIATION MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Restaurant Appreciation Month, their accomplishments, and their continued community support, as referenced below:

Supervisor Avalos recognized Roxie Food Center (1901 San Jose Avenue);
Supervisor Cohen recognized Eat Drink Play (28 Leland Avenue);
Supervisor Campos recognized Louisiana Po-Boy (3030 San Bruno Avenue);
Supervisor Wiener recognized Firefly (4288-24th Street);
Supervisor Yee recognized K's Kitchen (757 Monterey Boulevard);
Supervisor Kim recognized Delancey Street Restaurant (600 Embarcadero) and Crossroads Café (699 Delancey Street);
Supervisor Breed recognized Sheba's Lounge (1419 Fillmore Street);
Supervisor Tang recognized John's Ocean Beach Cafe (2898 Sloat Boulevard);
Supervisor Farrell recognized Delarosa (2175 Chestnut Street);
Supervisor Mar recognized Velo Rouge (798 Arguello Boulevard);
Supervisor Chiu recognized Farm Table (754 Post Street).

Joaquin Torres (Mayor's Office) introduced, welcomed, and presented a Certificate of Honor on behalf of Mayor Lee to 1300 on Fillmore (1300 Fillmore Street) in recognition of Restaurant Appreciation Month.

COMMITTEE REPORTS

Recommendation of the Rules Committee

140975 [Confirming Reappointment, Public Utilities Commission - Anson Moran]
Sponsor: Mayor
Motion confirming the Mayor's reappointment of Anson Moran to the Public Utilities Commission, term ending August 1, 2018.

Motion No. M14-176

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Peter Warfield; spoke in remembrance of Ted Gullickson and expressed concerns regarding full disclosure.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed concerns regarding gang violence.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; shared a media clip regarding artificial turf and diseases.
Lauren Maxwell; expressed concerns regarding the preservation of arts.
Male Speaker; expressed concerns regarding the Municipal Transportation Agency.
Trisha Fogleman; expressed concerns regarding domestic violence and politics.
Merrie Jo Musni; expressed concerns regarding domestic violence and politics.
Hilda Perez; expressed concerns regarding domestic violence and politics.
Maria Guillen; expressed concerns regarding domestic violence and politics.
Female Speaker; expressed concerns regarding domestic violence and politics.
Tami Bryant; expressed concerns regarding domestic violence and politics.
Pilar Schiavo; expressed concerns regarding domestic violence and politics.
Jamie Brooks; expressed concerns regarding greenhouse gas disclosures.
Eddie Ahn; expressed support for the introduction of the environmental legislation.
Jeanine Hunter; shared her support of solar energy and legislation on climate change.
Male Speaker; shared his support of the whales and dolphins proposed legislation.
Laura Fisherman; shared her support of the whales and dolphins proposed legislation.
Jackee Bryson; spoke on eviction protection issues.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

141028 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization Authority]

Sponsor: Farrell

Motion that the Board of Supervisors convene in closed session on October 21, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Motion be AMENDED to change the date from 'October 21, 2014', to 'October 28, 2014'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion that the Board of Supervisors convene in closed session on October 28, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding the proposed continuance to October 28, 2014. There were no speakers. The President declared public comment closed.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Motion be CONTINUED AS AMENDED to October 28, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Budget and Finance Committee

140709 [Joint Powers Agreement - Establishing a Homeownership Stabilization Authority]

Sponsors: Avalos; Campos, Mar and Kim

Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be CONTINUED AS AMENDED to October 28, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141043 [Ernest "Ernie" Garduno Day - October 15, 2014]

Sponsor: Farrell

Resolution declaring October 15, 2014, as Ernest "Ernie" Garduno Day in the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File No.141042 be severed so that it may be considered separately.

141042 [San Francisco Children's Outdoor Bill of Rights - October 18, 2014]

Sponsor: Farrell

Resolution recognizing the inauguration of the San Francisco Children's Outdoor Bill of Rights, as detailed in this Resolution, on October 18, 2014.

Supervisor Farrell requesed this matter be REFERRED to the Neighborhood Services and Safety Committee.

Supervisor Wiener requested that File No.141044 be severed so that it may be considered separately.

141044 [Free and Safe Passage of Whales and Dolphins in San Francisco's Coastal Waters]

Sponsor: Wiener

Resolution supporting the free and safe passage of whales and dolphins in San Francisco's coastal waters, San Francisco Bay, and its estuaries.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

141053 [Business and Tax Regulations Code - Parking Stations; Revenue Control Equipment]

Ordinance amending the Business and Tax Regulations Code to authorize methods of electronic payment for parking; reduce parking ticket requirements; increase small lot exemptions; amend valet parking requirements; and to clarify revenue control equipment requirements. (Treasurer-Tax Collector)

10/10/14; RECEIVED FROM DEPARTMENT.

10/21/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/20/2014.

PROPOSED RESOLUTIONS

141033 [Real Property Lease - Tenant Improvements - Bayview Plaza, LLC - 3801 Third Street - $373,304 Rent in the Base Year - $685,098.10 Estimated Improvements Cost]

Resolution authorizing 1) the lease of 15,083 square feet at 3801 Third Street for the Human Services Agency with Bayview Plaza, LLC, merging Suites 200, 205, 210, 230, 235, 240, and adding Suite 220, commencing upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion, at the monthly rent of $39,215.80 during improvements and alterations, and then $41,478.25 per month for five years after substantial completion of the tenant improvements, for a base year's rent total of $373,304; and 2) Construction of Tenant Improvements in an estimated cost to the City of $685,098.10. (Real Estate Department)

09/30/14; RECEIVED FROM DEPARTMENT.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141035 [Engineering Services Agreement Amendment - URS Corporation - New Irvington Tunnel Project - $14,873,561]

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to the professional services agreement for the New Irvington Tunnel Project with URS Corporation, to increase the amount by $500,000 for a total revised agreement amount of $14,873,561 and extend the agreement term by one year for a total revised agreement term of ten years, through June 30, 2016, pursuant to Charter, Section 9.118. (Public Utilities Commission)

10/06/14; RECEIVED FROM DEPARTMENT.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:23 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 28, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

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DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of September 23, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

140798 [Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code by revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; clarifying penalty and interest provisions; clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; clarifying when annual adjustments must be made to the business registration fee; clarifying the basis of the business registration fee; and deleting obsolete registration provisions.

FINALLY PASSED

140979 [Park Code - Flexible Pricing at Gleneagles Golf Course; Lease Amendment - Gleneagles Golf Partners, LP - Operation of Gleneagles Golf Course - Percentage of Gross Revenues]

Sponsor: Cohen

Ordinance amending the Park Code to authorize flexible pricing at Gleneagles Golf Course in McLaren Park; approving the amendment and extension of a lease with Gleneagles Golf Partners, LP, for operation of the Gleneagles Golf Course commencing on the effective date of this Ordinance and ending November 30, 2022, for 7% of gross revenues, subject to conditions, incentives, participation rent, and rent credits; and affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130412 [Public Works Code - Installation of Communications Infrastructure in Excavation Projects]

Sponsors: Chiu; Wiener, Cohen and Mar

Ordinance amending the Public Works Code to require the installation of City-owned communications infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's communications infrastructure.

FINALLY PASSED

140804 [Planning Code - Arcades in the Haight Street Neighborhood Commercial District]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Planning Code to permit arcades in the Haight Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

140806 [Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]

Sponsors: Cohen; Kim and Mar

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

FINALLY PASSED

Recommendations of the Rules Committee

141015 [Settlement of Grievance - Wah Eng - $67,436.01]

Resolution approving settlement of the unlitigated grievance (ERD No. 02-12-2541) of Wah Eng against the City and County of San Francisco for $67,436.01; Service Employees International Union, Local 1021, notified the City of the grievance entitled Grievance of Wah Eng on or before July 9, 2012. (City Attorney)

ADOPTED

141016 [Settlement of Claim - SF Third Street Equity Partners, LLC - $103,232.10]

Resolution approving the settlement of the unlitigated claim filed on July 9, 2014, by SF Third Street Equity Partners, LLC, against the City and County of San Francisco for $103,232.10. (City Attorney)

ADOPTED

141050 [Appointment, Park, Recreation and Open Space Advisory Committee - Evelyn Fisher]

Motion appointing Evelyn Fisher, term ending February 1, 2017, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M14-177

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

140874 [Administrative, Subdivision Codes - Tenant Buyout Agreements]

Sponsors: Campos; Avalos, Kim and Mar

Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenants' rights before the landlord commences buyout negotiations; to require landlords to file a form with the Rent Board indicating the address of the unit that may become the subject of buyout negotiations; to require all buyout agreements to be in writing and to include certain statements about the tenant's rights; to allow tenants to rescind buyout agreements for up to 45 days after the agreements are fully executed; to require landlords to file a copy of buyout agreements with the Rent Board; to require the Rent Board to create a publically available searchable database of buyout agreements; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buyouts; to authorize tenants to bring civil actions for actual damages and civil penalties against landlords who fail to provide the required disclosures about the tenants' rights; to authorize certain non-profits to bring civil actions for a landlord's failure to file a buyout agreement with the Rent Board; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buyout agreements.

FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 4 - Breed, Farrell, Tang, Wiener

Recommendation of the Neighborhood Services and Safety Committee

140306 [Health Code - Extending Involuntary Psychiatric Holds]

Ordinance amending the Health Code to authorize the use of an additional 30-day involuntary psychiatric hold, as permitted under California Welfare and Institutions Code, Sections 5270.10-5270.65, and making a finding that this authorization will not result in increased costs to the City or in the reduction of current services. (Human Services Agency)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141000 [Appropriation - Support for HIV Prevention - Department of Public Health - $301,600 - FY2014-2015]

Sponsors: Campos; Mar, Kim, Avalos and Wiener

Ordinance appropriating $301,600 from the General Fund Reserve to the Department of Public Health in FY 2014-2015, for HIV prevention support for access to PreExposure Prophylaxis medication to assist in the prevention of HIV infection transmission.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Noes: 1 - Tang

140945 [California Environmental Quality Act Findings and Mitigation Agreements - Various Cemeteries and the California Golf Club - Regional Groundwater Storage and Recovery Project]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to funding for the Regional Groundwater Storage and Recovery Project; and authorizing the General Manager of the Public Utilities Commission to enter into mitigation agreements with Cypress Lawn Memorial Park Cemetery, Eternal Home Cemetery, Hills of Eternity/Home of Peace/Salem Cemeteries, Holy Cross Catholic Cemetery, Italian Cemetery, Olivet Cemetery, Woodlawn Cemetery, and the California Golf Club for an indefinite term beginning upon execution of the agreements. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140997 [Real Property Leases - Multiple Landlords - Communications Services Facilities in Multiple Locations - $90,500 Total Annual Initial Year Base Rent]

Resolution authorizing the General Manager of the Public Utilities Commission to enter into: 1) a new communications site lease with Communication and Control, Inc., as Landlord for existing and new microwave communications antennas, radio communications, and other general telecommunications facilities on Alameda County Assessor's Parcel No. 096-0090-005-007 for a term up to 25 years at an initial rent of approximately $57,000 with 3% annual rent increases; 2) a new amendment to an existing communications site sublease with Communication and Control, Inc., as sublandlord for existing and new microwave communications, radio communications, and other general telecommunications facilities on Contra Costa County Assessor's Parcel No. 006-070-021 for a term up to 25 years at an initial rent of approximately $14,900 with 3% annual rent increases; 3) a license with Tri-Star Investors Inc., as Landlord for new microwave communications antennas, radio communications, and other general telecommunications facilities on a portion of Stanislaus County Assessor's Parcel No. 081-012-004-000 for a term up to 25 years at an initial rent of approximately $18,600 with 3% annual rent increases, for a combined total amount of $90,500 annual initial year base rent; and 4) adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120796 [Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District and Deleting the Divisadero Street Restricted Use District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets, deleting the Divisadero Street Alcohol Restricted Use District (RUD), amending various other Code sections to make conforming and other technical changes, amending the Zoning Map to add the Divisadero Street NCD and deleting the Divisadero Street RUD, affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Breed, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120814 [Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial District (NCD) along Fillmore Street between Bush and McAllister Streets; amending various other Code sections to make conforming and other technical changes; amending the Zoning Map to add the Fillmore Street NCD; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Breed, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141006 [Interim Zoning Controls - New Ground Floor Office Uses Facing 2nd Street, from King and Folsom Streets]

Sponsor: Kim

Resolution imposing interim zoning controls requiring conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for eighteen months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

140850 [Liquor License - 507 Columbus Avenue]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to 507 Columbus Avenue (District 3), to Sayed Jalal Heydari for Alimento Deli, will serve the public convenience or necessity of City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

141051 [Appointment, Entertainment Commission - Demetri Moshoyannis]

Motion appointing Demetri Moshoyannis, term ending July 1, 2017, to the Entertainment Commission. (Rules Committee)

Motion No. M14-178

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141052 [Appointments, Immigrant Rights Commission - Almudena Bernabeu, Haregu Gaime, Bill Hing, Leah Chen Price, and Elahe Enssani]

Motion appointing Almudena Bernabeu, Haregu Gaime (residency requirement waived), Bill Hing, Leah Chen Price, and Elahe Enssani, terms ending June 6, 2016, to the Immigrant Rights Commission. (Rules Committee)

Motion No. M14-179

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

141018 [Public Hearing - Appeal of Tentative Map - 639 Peralta Avenue]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated September 18, 2014, approving a Tentative Map for a 2-Unit New Construction Condominium Project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (District 9) (Appellant: Alexander M. Weyand, on behalf of William H. Bradley) (Filed September 29, 2014).

The President inquired as to whether any member of the public wished to address the Board. Alexander Weyand (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. There were no speakers in support of the appeal. Bruce Storrs, City Surveyor, provided an overview of the decision of Public Works. Dave Dolmen (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of Public Works. There were no speakers in support of the project. Alexander Weyand and William Bradley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED.

Supervisor Campos, seconded by Supervisor Wiener, moved to rescind the previous action, thereby reopening the public hearing. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos, seconded by Supervisor Mar, moved that this Hearing be CONTINUED OPEN to December 16, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141019 [Approving Decision of Public Works and Approving the Tentative Parcel Map - 639 Peralta Avenue]

Motion approving decision of Public Works and approving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to December 16, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141020 [Disapproving Decision of Public Works and Disapproving the Tentative Parcel Map - 639 Peralta Avenue]

Motion disapproving decision of Public Works and disapproving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to December 16, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141021 [Preparation of Findings Related to the Tentative Parcel Map - 639 Peralta Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to December 16, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141112 [Hearing - Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area]

Hearing to consider the proposed Resolution of the Board of Supervisors (File No. 141022), acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole. Supervisor Kim provided opening remarks. Courtney Pash (Mayor's Office of Community Investment and Infrastructure) provided an overview of the proposed modifications and development agreement and responded to questions raised throughout the discussion. Dale Seymour; spoke in opposition to the modifications and development agreement. Larry Edmund Juizye; Male Speaker; spoke neither in support nor opposition to the modifications and development agreement. Supervisor Kim provided closing remarks. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

141022 [Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area]

Sponsor: Kim

Resolution of the Board of Supervisors, acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

141023 [Development Agreement - 181 Fremont Street, LLC - 181 Fremont Street - Transbay Redevelopment Project Area]

Sponsors: Mayor; Kim

Ordinance approving a Development Agreement between the City and County of San Francisco and 181 Fremont Street, LLC, for certain real property, known as 181 Fremont Street, located in the Transbay Redevelopment Project Area, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets; making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and Planning Code, Section 249.28.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Kim, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FILIPINO-AMERICAN HERITAGE MONTH
Supervisor Avalos provided some opening remarks. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Filipino-American Heritage Month, their accomplishments, and their continued community support as referenced below:

Supervisor Kim recognized Bayanihan Community Center and Dr. Manual Borja; and
Supervisor Breed recognized Chris Punongbayan; and
Supervisor Tang recognized Dick Cerbatos (posthumous); and
Supervisor Chiu recognized Amor Santiago; and
Supervisor Mar recognized Tony Robles; and
Supervisor Farrell recognized Al Perez; and
Supervisor Avalos recognized Filipino Community Center and Pin@y Educational Partnerships; and
Supervisor Cohen recognized Augusto De La Cruz; and
Supervisor Wiener recognized Alied Quijano Paningbatan-Swan; and
Supervisor Campos recognized Carmela Clendening; and
Supervisor Yee recognized Arsenio "Art" Belenson.

COMMITTEE REPORTS

Recommendations of the Neighborhood Services and Safety Committee

141001 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]

Sponsors: Campos; Kim, Avalos, Mar and Farrell

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

A motion was made by Supervisor Tang, seconded by Supervisor Breed, to re-refer this matter to the Neighborhood Services and Safety Committee. Supervisor Tang withdrew the motion.

A motion was made by Supervisor Avalos, seconded by Supervisor Mar, to duplicate the matter. Supervisor Avalos withdrew the motion.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 5, Line 24, by adding '(D) To the extent any information in the Equal Pay Report qualifies as proprietary financial data or trade secret, the City shall not disclose the information unless required by law, including the California Public Records Act and the San Francisco Sunshine Ordinance.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Tang, moved that this Ordinance be AMENDED on Page 12, Line 11, by deleting 'with experience advocating for equal pay for equal work' and adding 'employed by a nonprofit organization that contracts with the City'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Tang, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED AS AMENDED to November 25, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141002 [Police Code - Access to Reproductive Health Care Facilities]

Sponsors: Campos; Wiener, Mar, Yee, Kim, Avalos and Cohen

Ordinance amending the Police Code to repeal the prohibition on entering or remaining within a 25-foot buffer zone of a reproductive health care facility; to prohibit individuals from following or harassing others within 25 feet of the entrance to such a facility; to prohibit impeding access to the door of such a facility; and to prohibit excessive noise through yelling or amplification of sound within 50 feet of such a facility.

Supervisor Cohen requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Christopher Dahl; expressed various concerns relating to sea level, economists, and politics.
Jackie Flynn; spoke in support for proposed legislation relating to solar vision goals.
Tio Grandes; spoke in support for proposed legislation relating to solar vision goals.
Jeanine Carter; spoke in support for proposed legislation relating to solar vision goals.
Andy Schwartz; spoke in support for proposed legislation relating to solar vision goals.
Walker Wright; spoke in support for proposed legislation relating to solar vision goals.
Male Speaker; spoke in support for proposed legislation relating to solar vision goals.
John DiDonna; shared in poem certain concerns with the Board.
Danny Rose; expressed various concerns relating to breast cancer.
Jessica Inouye; spoke in support for proposed legislation relating to rights of workers to unionize.
Nancy Lee; spoke in support for proposed legislation relating to rights of workers to unionize.
Otto Duffy; expressed various concerns relating to blight and taxi vouchers.
Larry Edmund Juizye; expressed various concerns.
Male Speaker; expressed various concerns relating to safety in SRO's.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

141028 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization Authority]

Sponsor: Farrell

Motion that the Board of Supervisors convene in closed session on October 28, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

The Clerk of the Board inquired as to whether any member of the public wished to address the Board regarding convening in closed session during General Public Comment. There were no speakers.

Supervisor Farrell, seconded by Supervisor Yee, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

From the Budget and Finance Committee Without Recommendation

140709 [Studying a Homeownership Stabilization Authority and Other Approaches to Assist Homeowners with Troubled Mortgages]

Sponsors: Avalos; Campos, Mar and Kim

Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution urging that a study of a potential Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority as well as other possible approaches to assist homeowners with troubled mortgages.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141109 [Urging Support for Reconvening Domestic Violence Death Review Team]

Sponsors: Kim; Cohen, Tang, Breed and Mar

Resolution urging the City and County of San Francisco to support the reconvening of a multidisciplinary Domestic Violence Death Review Team to conduct an in-depth review of domestic violence-related fatalities; make recommendations to strengthen system policies and procedures, if needed; and identify additional prevention strategies to prevent future incidents of domestic violence-related injuries and deaths.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED

141110 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Amending the Downtown Support Special Use District; Fees in Lieu of On-Site Open Space (File No. 140877)]

Sponsor: Kim

Resolution extending by 90-days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 140877) amending the Planning Code, Section 247, to allow the Planning Commission to authorize a monetary contribution to satisfy on-site open space requirements; to exclude certain features from floor area ratio and gross floor area calculations; to establish a fund to accept the monetary contributions and provide that the monies deposited shall be used for recreation and open space in the South of Market (SoMa) area; to provide that the SoMa Community Stabilization Fund Community Advisory Committee shall advise on the administration of the fund; affirming the Planning Department's California Environmental Quality Act determination; and making findings consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

141080 [Final Map 7722 - 4752-4760 17th Street]

Motion approving Final Map 7722, a five unit residential condominium project, located at 4752-4760 17th Street, being a subdivision of Assessor's Block No. 1286, Lot No. 018, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-181

APPROVED

141081 [Final Map 7914 - 1940-1944 Mason Street and 15A and 15B Scotland Street]

Motion approving Final Map 7914, a five unit residential condominium project, located at 1940-1944 Mason Street and 15A and 15B Scotland Street, being a subdivision of Assessor's Block No. 0090, Lot No. 018, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-182

APPROVED

141082 [Phased Final Map 7470 - 901 Rankin Street]

Motion approving Phased Final Map 7470, a one lot subdivision project, located at 901 Rankin Street, being a merger of Assessor's Block No. 5281, Lot Nos. 003 and 005, and a portion of former Kirkwood Avenue and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-183

APPROVED

141113 [Zoning - Report on Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Motion adopting the Planning Department's report on the interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west. (Clerk of the Board)

Motion No. M14-184

APPROVED

141115 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M14-185

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 141111 be severed so that it may be considered separately.

141111 [Committee of the Whole - Consent to Provisions of a Variation Decision - October 28, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on October 28, 2014, at 3:00 pm., to hold a public hearing to conditionally consent to the Provisions of a Variation Decision by the Commission on Community Investment and Infrastructure modifying the On-Site Affordable Housing Requirement for 181 Fremont, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets, in the Transbay Redevelopment Project Area.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 141111. There were no speakers. The President declared public comment closed.

Motion No. M14-180

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos requested that File No. 141106 be severed so that it may be considered separately.

141106 [Urging Support for the Right of Workers to Unionize at Le Meridien San Francisco and Hyatt Fisherman's Wharf]

Sponsors: Campos; Mar

Resolution urging the City and County of San Francisco to support the rights of workers to unionize and boycott the Le Meridien San Francisco and Hyatt Fisherman's Wharf.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu requested that File Nos. 141107 and 141108 be severed so that they may be considered separately.

141107 [Solar Vision Goals for San Francisco by 2020]

Sponsors: Chiu; Mar

Resolution urging the City and County of San Francisco to make GoSolarSF a permanent program, to require solar installation on all new construction or substantial retrofits in the City, establishing Solar Vision goals for 2020, and establishing an overall megawatt solar energy goal for the City.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141108 [Condemning Anti-Arab and Anti-Muslim Bus Advertisements]
Sponsors: Chiu; Mar
Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

Supervisor Mar requested to be added as a co-sponsor.

Supervisor Chiu, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu, seconded by Supervisor Campos, moved that this Resolution be CONTINUED AS AMENDED to November 4, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

141056 [Settlement of Lawsuit - Michael P. Walsh, Trustee of the John L. Stevenson Trust - Execution of Long-Term Lease - Mowry East Shopping Center, Fremont, California]

Ordinance authorizing settlement of the lawsuit filed by Michael P. Walsh, Trustee of The John L. Stevenson Trust against the City and County of San Francisco by executing a long-term lease of the City's property for shopping center parking, access and landscaping at the Mowry East Shopping Center, Fremont, California; the lawsuit was filed on November 29, 2011, in Alameda County Superior Court, Case No. RG 11606118; entitled Michael P. Walsh, Trustee of The John L. Stevenson Trust v. City and County of San Francisco; other material terms of said settlement are that the plaintiff will pay fair market rent for portions of the leased premises used for parking, the parties will suspend their current dispute for the duration of the lease and the lease will govern the parties' relationship during the lease term, upon expiration or other termination of the lease, each party will retain its ability to assert the claims presented in the lawsuit, and the plaintiff will dismiss the lawsuit. (City Attorney)

10/16/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141057 [Settlement of Lawsuit - Heinz Hofmann and Thomas Buckley - $200,000]

Ordinance authorizing settlement of the lawsuit filed by Heinz Hofmann and Thomas Buckley against the City and County of San Francisco for $200,000; the lawsuit was filed on May 7, 2012, in United States District Court for the Northern District of California, Case No. 11-4016 CW; entitled Heinz Hofmann and Thomas Buckley v. City and County of San Francisco, et al. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141058 [Settlement of Lawsuit - Brian Hill - $30,400]

Ordinance authorizing settlement of the lawsuit filed by Brian Hill against the City and County of San Francisco for $30,400; the lawsuit was filed on March 5, 2009, in the San Francisco Superior Court, Case No. CGC 14-538953; entitled Brian Hill v. San Francisco Water Power Sewer, and Does 1 to 10. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141091 [Health Code - Animal Care and Control Adoption Fee Waiver]
Ordinance amending the Health Code to authorize the Animal Control Officer to waive adoption fees and other applicable charges upon finding that such a waiver will maintain or increase the live release rate. (City Administrator)

10/20/14; RECEIVED FROM DEPARTMENT.

10/28/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/27/2014.

PROPOSED RESOLUTIONS

141072 [Settlement of Claim - Riverbed Technology, Inc. - $125,760.77]
Resolution approving the settlement of the unlitigated claim filed on January 31, 2014, by Riverbed Technology, Inc., against the City and County of San Francisco for $125,760.77. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141073 [Settlement of Claim - Susquehanna Financial Group, LP - $49,385.04]
Resolution approving the settlement of the unlitigated claim filed on April 10, 2014, by Susquehanna Financial Group, LP, against the City and County of San Francisco for $49,385.04. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141074 [Settlement of Claims - Oak River Insurance Company - $480,838.45]
Resolution approving the settlement of the unlitigated claims filed by Oak River Insurance Company against the City and County of San Francisco on February 26, 2014, for $480,838.45. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141075 [Settlement of Claim - Net Power and Light, Inc. - $26,743.72]
Resolution approving the settlement of the unlitigated claim filed on April 7, 2014, by Net Power and Light, Inc., against the City and County of San Francisco for $26,743.72. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141076 [Settlement of Claim - The Trustees of the University of Pennsylvania - $134,808.36]
Resolution approving the settlement of the unlitigated claim filed by The Trustees of the University of Pennsylvania, on behalf of The Wharton School of the University of Pennsylvania against the City and County of San Francisco for $134,808.36; claim was filed on April 10, 2014. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141077 [Lease Amendment - Marina's Café - Rental Car Center Café, a Small Business Set-Aside - $11,280 Minimum Annual Guarantee]

Resolution approving Amendment No.1 to the Rental Car Center Café Lease No. 12-0221, a Small Business Set-Aside, between Marina's Café and the City and County of San Francisco, acting by and through its Airport Commission, with a Minimum Annual Guarantee of $11,280 and a term of five years, plus one option to extend the term by two years. (Airport Commission)

10/14/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141078 [Lease Amendment - Early Termination and Buyout - Baysubway Airport - Not to Exceed $1,200,000]

Resolution approving an early termination and buyout of Baysubway Airport's (Subway) Domestic Terminal Food and Beverage Program Lease No. 03-0185 in an amount not-to-exceed $1,200,000, between Subway and the City and County of San Francisco, acting by and through its Airport Commission, to commence following Board approval. (Airport Commission)

10/14/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141079 [Fixed Base Operator Lease and Operating Agreement Modification - Signature Flight Support Corporation - $70,511,537]

Resolution approving Modification No. 1 to Fixed Base Operator Lease and Operating Agreement No. 07-0106 between Signature Flight Support Corporation, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the lease by five years, for a new expiration date of September 30, 2022, for an estimated minimum guarantee of $70,511,537 during the extension of the term. (Airport Commission)

10/14/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:22 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
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NOV 7 2014

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Tuesday, November 4, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of September 30, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Neighborhood Services and Safety Committee

141002 [Police Code - Access to Reproductive Health Care Facilities]
Sponsors: Campos; Wiener, Mar, Yee, Kim, Avalos and Cohen
Ordinance amending the Police Code to repeal the prohibition on entering or remaining within a 25 foot buffer zone of a reproductive health care facility; to prohibit individuals from following or harassing others within 25 feet of the entrance to such a facility; to prohibit impeding access to the door of such a facility; and to prohibit excessive noise through yelling or amplification of sound within 50 feet of such a facility.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

141000 [Appropriation - Support for HIV Prevention - Department of Public Health - $301,600 - FY2014-2015]

Sponsors: Campos; Mar, Kim, Avalos and Wiener

Ordinance appropriating $301,600 from the General Fund Reserve to the Department of Public Health in FY 2014-2015, for HIV prevention support for access to PreExposure Prophylaxis medication to assist in the prevention of HIV infection transmission.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Noes: 1 - Tang

Recommendations of the Land Use and Economic Development Committee

120796 [Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District and Deleting the Divisadero Street Restricted Use District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets, deleting the Divisadero Street Alcohol Restricted Use District (RUD), amending various other Code sections to make conforming and other technical changes, amending the Zoning Map to add the Divisadero Street NCD and deleting the Divisadero Street RUD, affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120814 [Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial District (NCD) along Fillmore Street between Bush and McAllister Streets; amending various other Code sections to make conforming and other technical changes; amending the Zoning Map to add the Fillmore Street NCD; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141023 [Development Agreement - 181 Fremont Street, LLC - 181 Fremont Street - Transbay Redevelopment Project Area]

Sponsors: Mayor; Kim

Ordinance approving a Development Agreement between the City and County of San Francisco and 181 Fremont Street, LLC, for certain real property, known as 181 Fremont Street, located in the Transbay Redevelopment Project Area, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets; making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and Planning Code, Section 249.28.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140932 [Accept and Expend Grant - California Department of Parks and Recreation's Habitat Conservation Fund - Youth Stewardship Program - $200,000]

Sponsor: Chiu

Resolution authorizing the Recreation and Park Department to accept and expend a grant of $200,000 from the California Department of Parks and Recreation's Habitat Conservation Fund to support the Youth Stewardship Program.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141004 [Accept and Expend Grant - Juvenile Justice Accountability Block Grant - $75,889]

Sponsor: Campos

Resolution retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of $75,889 from the Board of State and Community Corrections for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant, for the term of July 1, 2014, through June 30, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

141041 [Fisherman's Wharf, and Fisherman's Wharf Portside Community Benefit Districts - Annual Reports to the City - FYs 2009-2013]

Sponsor: Chiu

Resolution receiving and approving annual reports for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FYs 2009-2013, submitted as required by the Property and Business Improvement District Law of 1994, Section 36650 (California Streets and Highways Code, Sections 36600, et seq.), and the Districts' management contracts with the City.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120881 [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]

Sponsor: Chiu

Ordinance amending the Planning Code, by repealing Section 158 and amending various other Code Sections, to modify controls for uses and accessory uses in Commercial and Residential Commercial (RC) Districts; eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach Neighborhood Commercial Districts (NCDs), and the Washington-Broadway Special Use District (SUD); make maximum residential parking permitted in Downtown Commercial and RC Districts consistent with Neighborhood Commercial Transit (NCT) Districts; make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; make surface parking lots a non-conforming use in Downtown Commercial Districts; modify conformity requirements in various use districts; modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; permit certain exceptions from exposure and open space requirements for historic buildings; remove references to deleted sections of the Code; amend Zoning Map Sheet SU01 to consolidate the two Washington-Broadway SUDs and revise the boundaries; and making environmental findings, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140844 [Planning Code - Formula Retail and Large-Scale Retail Controls]

Sponsor: Mar

Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 11 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; provide a method for calculating the concentration of formula retail establishments in a certain area; require Planning Department staff to recommend disapproval of new formula retail in the Upper Market Neighborhood Commercial District based on concentration of existing Formula Retail; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses, and for Formula Retail uses of 20,000 gross square feet or greater except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; require 30 days' public notice for conditional use hearings on proposed Formula Retail uses; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services except in the Castro Street Neighborhood Commercial District, Upper Market Neighborhood Commercial Transit District, and 24th Street - Noe Valley Neighborhood Commercial District; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and correct various Code provisions to ensure accuracy of cross-references; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 80, Line 18, by adding 'complete' before 'application', deleting 'for a proposed Formula Retail use', and changing 'City' to 'Planning Department'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140970 [Administrative Code - Calculating Interest on Residential Rental Security Deposits]

Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140980 [Summary Street Vacation - Portion of Raccoon Drive]

Sponsor: Wiener

Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Yee, seconded by Supervisor Kim, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the family of the following individual. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Yee presented an In Memoriam for Sandy Siegal in recognition of his accomplishments and life achievements.

SPECIAL ORDER 3:00 P.M.

141046 [Public Hearing - Appeal of Conditional Use Authorization - 395-26th Avenue]
Hearing of persons interested in or objecting to the Planning Commission's decision of September 4, 2014, Motion No. 19229, relating to approval of a Conditional Use Authorization (Case No. 2013.0205CEKSV), to demolish two residential units on a property within the Outer Clement Street Neighborhood Commercial District (NCD), located at 395-26th Avenue, Assessor's Block No. 1407, Lot No. 017. (District 1) (Appellant: Stephen M. Williams) (Filed October 6, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Nina Frankel, and John Hadden; spoke in support of the appeal. There were no other speakers.

Supervisor Mar, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to November 25, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The President CONTINUED the Hearing to November 25, 2014, at 3:00 p.m.

141047 [Approving the Conditional Use Authorization Decision - 395-26th Avenue]
Motion approving the decision of the Planning Commission by its Motion No. 19229, approving Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 25, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141048 [Disapproving the Conditional Use Authorization Decision - 395-26th Avenue]
Motion disapproving the decision of the Planning Commission by its Motion No. 19229, approving a Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 25, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141049 [Preparation of Findings Related to the Conditional Use Authorization - 395-26th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 25, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

141064 [Public Hearing - Appeal of Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance pursuant to Planning Code, Section 31.16(b)(3), which requires that a California Environmental Quality Act (CEQA) appeal decision (see Board File Nos. 141059-141062) be affirmed by the Board prior to any project approvals. There were no speakers.

Supervisor Mar, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to November 18, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The President CONTINUED the Hearing to November 18, 2014, at 3:00 p.m.

141065 [Approving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]

Motion approving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to November 18, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141066 [Disapproving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to November 18, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141067 [Preparation of Findings Related to the Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to November 18, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

141068 [Public Hearing - Appeal of Conditional Use Authorization - 431 Balboa Street]

Hearing of persons interested in or objecting to the Planning Commission's decision of September 18, 2014, Motion No. 19237, relating to approval of a Conditional Use Authorization (Case No. 2012.0059C), to allow a macro wireless telecommunications services (WTS) facility operated by AT&T Mobility, located at 431 Balboa Street, Assessor's Block No. 1639, Lot No. 047. (District 1) (Appellant: John Umekubo) (Filed October 16, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Dr. John Umekubo (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Chowvalee Boonyaratanakomkit; Michael Murphy; Carol Pragides; Sophie Lau; Female Speaker; Female Speaker; spoke in support of the appeal. AnMarie Rodgers, and Omar Masry (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Cindy Greenhouse (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Dr. John Umekubo (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 141069, 141070, and 141071.

141069 [Approving the Conditional Use Authorization Decision - 431 Balboa Street]

Motion approving the decision of the Planning Commission by its Motion No. 19237, approving a Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Kim, moved that this Motion be TABLED. The motion FAILED by the following vote:
Ayes: 5 - Campos, Chiu, Kim, Mar, Yee
Noes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener

Motion No. M14-186

Supervisor Farrell, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener
Noes: 5 - Campos, Chiu, Kim, Mar, Yee

141070 [Disapproving the Conditional Use Authorization Decision - 431 Balboa Street]

Motion disapproving the decision of the Planning Commission by its Motion No. 19237, approving a Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Kim, moved that this Motion be APPROVED. The motion FAILED by the following vote:
Ayes: 5 - Campos, Chiu, Kim, Mar, Yee
Noes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener

Supervisor Farrell, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener
Noes: 5 - Campos, Chiu, Kim, Mar, Yee

141071 [Preparation of Findings Related to the Conditional Use Authorization - 431 Balboa Street]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Kim, moved that this Motion be APPROVED. The motion FAILED by the following vote:
Ayes: 5 - Campos, Chiu, Kim, Mar, Yee
Noes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener

Supervisor Farrell, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener
Noes: 5 - Campos, Chiu, Kim, Mar, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various concerns.
Male Speaker; expressed concerns regarding the World Series celebrations.
Male Speaker; expressed concerns regarding pedestrian safety.
Yaman Salahi; spoke in support of the resolution condemning the Anti-Arab and Anti-Muslim bus advertisements.
Brice Hamack; spoke in support of the resolution condemning the Anti-Arab and Anti-Muslim bus advertisements.
Carol Sanders; spoke in support of the resolution condemning the Anti-Arab and Anti-Muslim bus advertisements.
Walter Paulson; shared in song certain concerns with the Board.
Nina Frankel; expressed concerns regarding traffic control.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141127 [#LOVELOCALSF Day - November 5, 2014]

Sponsor: Chiu

Resolution declaring November 5, 2014, as #LOVELOCALSF day in the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 141108 be severed so that it may be considered separately.

141108 [Condemning Anti-Arab and Anti-Muslim Bus Advertisements]

Sponsors: Chiu; Mar

Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:17 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, November 18, 2014 - 2:00 PM

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 p.m. On the call of the roll, Supervisor Campos was noted not present. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of October 7, 2014. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Absent: 1 - Campos

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, acknowledged receipt of a communication from the Office of Supervisor David Campos, dated November 18, 2014, stating the Supervisor will not be in attendance and requests to be excused from the November 18, 2014, Board of Supervisors meeting.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

There were no questions submitted from Supervisors representing the even districts. Mayor Edwin Lee addressed the Board of Supervisors by thanking the Board for their collaboration on the measures passed during the November 2014 Election, and congratulating the Department of Animal Care and Control and Mayor Frida for the successful bid on "Mayor for a Day." Following public comment this matter was filed. No further action was taken.

Supervisor Campos Excused from Attendance

Supervisor Farrell, seconded by Supervisor Kim, moved that Supervisor Campos be excused from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

120881 [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]

Sponsor: Chiu

Ordinance amending the Planning Code, by repealing Section 158 and amending various other Code Sections, to modify controls for uses and accessory uses in Commercial and Residential Commercial (RC) Districts; eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach Neighborhood Commercial Districts (NCDs), and the Washington-Broadway Special Use District (SUD); make maximum residential parking permitted in Downtown Commercial and RC Districts consistent with Neighborhood Commercial Transit (NCT) Districts; make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; make surface parking lots a non-conforming use in Downtown Commercial Districts; modify conformity requirements in various use districts; modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; permit certain exceptions from exposure and open space requirements for historic buildings; remove references to deleted sections of the Code; amend Zoning Map Sheet SU01 to consolidate the two Washington-Broadway SUDs and revise the boundaries; and making environmental findings, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

140970 [Administrative Code - Calculating Interest on Residential Rental Security Deposits]

Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)

FINALLY PASSED

140980 [Summary Street Vacation - Portion of Raccoon Drive]

Sponsor: Wiener

Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

FINALLY PASSED

Recommendations of the Rules Committee

140947 [Settlement of Lawsuit - Carpenter's Union Local 22 - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for $60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

141056 [Settlement of Lawsuit - Michael P. Walsh, Trustee of the John L. Stevenson Trust - Execution of Long-Term Lease - Mowry East Shopping Center, Fremont, California]

Ordinance authorizing settlement of the lawsuit filed by Michael P. Walsh, Trustee of The John L. Stevenson Trust against the City and County of San Francisco by executing a long-term lease of the City's property for shopping center parking, access and landscaping at the Mowry East Shopping Center, Fremont, California; the lawsuit was filed on November 29, 2011, in Alameda County Superior Court, Case No. RG 11606118; entitled Michael P. Walsh, Trustee of The John L. Stevenson Trust v. City and County of San Francisco; other material terms of said settlement are that the plaintiff will pay fair market rent for portions of the leased premises used for parking, the parties will suspend their current dispute for the duration of the lease and the lease will govern the parties' relationship during the lease term, upon expiration or other termination of the lease, each party will retain its ability to assert the claims presented in the lawsuit, and the plaintiff will dismiss the lawsuit. (City Attorney)

PASSED, ON FIRST READING

141057 [Settlement of Lawsuit - Heinz Hofmann and Thomas Buckley - $200,000]

Ordinance authorizing settlement of the lawsuit filed by Heinz Hofmann and Thomas Buckley against the City and County of San Francisco for $200,000; the lawsuit was filed on May 7, 2012, in United States District Court for the Northern District of California, Case No. 11-4016 CW; entitled Heinz Hofmann and Thomas Buckley v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

141058 [Settlement of Lawsuit - Brian Hill - $30,400]

Ordinance authorizing settlement of the lawsuit filed by Brian Hill against the City and County of San Francisco for $30,400; the lawsuit was filed on March 5, 2009, in the San Francisco Superior Court, Case No. CGC 14-538953; entitled Brian Hill v. San Francisco Water Power Sewer, and Does 1 to 10. (City Attorney)

PASSED, ON FIRST READING

141072 [Settlement of Claim - Riverbed Technology, Inc. - $125,760.77]

Resolution approving the settlement of the unlitigated claim filed on January 31, 2014, by Riverbed Technology, Inc., against the City and County of San Francisco for $125,760.77. (City Attorney)

ADOPTED

141073 [Settlement of Claim - Susquehanna Financial Group, LP - $49,385.04]
Resolution approving the settlement of the unlitigated claim filed on April 10, 2014, by Susquehanna Financial Group, LP, against the City and County of San Francisco for $49,385.04. (City Attorney)

ADOPTED

141074 [Settlement of Claims - Oak River Insurance Company - $480,838.45]
Resolution approving the settlement of the unlitigated claims filed by Oak River Insurance Company against the City and County of San Francisco on February 26, 2014, for $480,838.45. (City Attorney)

ADOPTED

141075 [Settlement of Claim - Net Power and Light, Inc. - $26,743.72]
Resolution approving the settlement of the unlitigated claim filed on April 7, 2014, by Net Power and Light, Inc., against the City and County of San Francisco for $26,743.72. (City Attorney)

ADOPTED

141076 [Settlement of Claim - The Trustees of the University of Pennsylvania - $134,808.36]
Resolution approving the settlement of the unlitigated claim filed by The Trustees of the University of Pennsylvania, on behalf of The Wharton School of the University of Pennsylvania against the City and County of San Francisco for $134,808.36; claim was filed on April 10, 2014. (City Attorney)

ADOPTED

141134 [Appointments, Bicycle Advisory Committee - Kevin Dole, Winston Parsons, Edward Nicolson, Morgan Fitzgibbons, and Richard May]
Motion appointing Kevin Dole, Winston Parsons, Edward Nicolson, Morgan Fitzgibbons, and Richard May, terms ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M14-187

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

140844 [Planning Code - Formula Retail and Large-Scale Retail Controls]

Sponsor: Mar

Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 11 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; provide a method for calculating the concentration of formula retail establishments in a certain area; require Planning Department staff to recommend disapproval of new formula retail in the Upper Market Neighborhood Commercial District based on concentration of existing Formula Retail; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses, and for Formula Retail uses of 20,000 gross square feet or greater except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; require 30 days' public notice for conditional use hearings on proposed Formula Retail uses; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services except in the Castro Street Neighborhood Commercial District, Upper Market Neighborhood Commercial Transit District, and 24th Street - Noe Valley Neighborhood Commercial District; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and correct various Code provisions to ensure accuracy of cross-references; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141097 [Administrative Code - Department of Public Health Managed Care Contracts]

Sponsors: Farrell; Chiu and Campos

Ordinance amending the Administrative Code to authorize the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141039 [Accept and Expend Grant - Herz Playground Improvements - A. Ruiz Construction Company and Associates, Inc. - $117,000]

Sponsor: Cohen

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of $117,000 from A. Ruiz Construction Company and Associates, Inc., for improvements to the pathways at Herz Playground for the period of May 15, 2014, through May 31, 2014.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141040 [Accept and Expend Grant - Herz Playground Improvements - O.C. Jones and Sons, Inc. - $248,000]

Sponsor: Cohen

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of $248,000 from O.C. Jones and Sons, Inc., for the renovation of the baseball diamond at Herz Playground for the period of March 26, 2014, through May 31, 2014.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141100 [Accept and Expend Grant - Racial and Ethnic Approaches to Community Health - Heart Healthy SF- $799,159]

Sponsors: Cohen; Mar

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $799,159 from Centers for Disease Control and Prevention to participate in a program entitled "Racial and Ethnic Approaches to Community Health - Heart Healthy SF" for the period of September 30, 2014, through September 29, 2015.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

140989 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Programs - FY2015-2016]

Resolution supporting FY2015-2016 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Recommendations of the Land Use and Economic Development Committee

140981 [Administrative Code - Street Light Policy]

Sponsors: Wiener; Cohen and Breed

Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141005 [Street Encroachment - Automated Waste Collection System within Candlestick Point-Hunters Point Shipyard]

Sponsor: Cohen

Resolution granting revocable permission to Recology, Inc., to occupy a portion of the public right-of-way to construct and maintain various improvements for the below-grade Automated Waste Collection System (AWCS), which will be located within the Candlestick Point-Hunters Point Phase 2 Redevelopment Project Areas, to transport streams of solid waste in the AWCS pipe network from multiple private indoor and public outdoor waste inlets to separate enclosed centralized waste collection facilities for transport to off-site landfill, recycling, or compost facilities; conditioning the permit; making environmental findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141034 [Street Encroachment - Avalon Bay Communities - Hickory Street Frontage of 307-323-325 Octavia Street]

Sponsor: Breed

Resolution granting revocable permission to Avalon Bay Communities to occupy a portion of the public right-of-way to construct and maintain improvements within Hickory Street between Octavia and Laguna Streets fronting 307-323-325 Hickory Street (Assessor's Block No. 0831, Lot No. 023), and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Recommendations of the Neighborhood Services and Safety Committee

140697 [Donation of Obsolete Ambulance to City College of San Francisco]

Resolution authorizing the Fire Department to donate an obsolete ambulance to the Emergency Medical Services Academy of City College of San Francisco. (Fire Department)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

140698 [Donation of Obsolete Self-Contained Breathing Apparatuses to City College of San Francisco Fire Sciences Program]

Resolution authorizing the Fire Department to donate 30 obsolete Self-Contained Breathing Apparatuses to the City College of San Francisco Fire Sciences Program. (Fire Department)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

140914 [Liquor License - 533 Sutter Street]

Resolution determining that the issuance of a Type 64 general theatre license to 533 Sutter Street (District 3), to Matt Shelton for the Shelton Theater, will serve the public convenience or necessity of City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141008 [Urging the Successful Resolution of Negotiations between the San Francisco Unified School District and the United Educators of San Francisco]

Sponsors: Mar; Campos, Cohen and Avalos

Resolution urging the successful resolution of negotiations between the San Francisco Unified School District and the United Educators of San Francisco to avoid a strike and an interruption to the education of San Francisco's students.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Recommendations of the Rules Committee

140909 [Administrative Code - Catastrophic Illness Programs]

Ordinance amending the Administrative Code to authorize the Department of Public Health to designate another City department to carry out various functions in the administration of the Catastrophic Illness Program for City employees and the Catastrophic Illness Program for family members of City employees. (Public Health Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

140953 [Environment Code - Revising the Urban Forestry Council Composition and Meeting Requirements]

Sponsor: Wiener

Ordinance amending the Environment Code to revise the composition and meeting schedule requirements for the Urban Forestry Council.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141135 [Appointments, Mental Health Board - Deborah Hardy and Ulash Thakore-Dunlap]

Motion appointing Deborah Hardy and Ulash Thakore-Dunlap, terms ending January 31, 2016, to the Mental Health Board. (Rules Committee)

Motion No. M14-188

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Farrell, seconded by Supervisor Wiener, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to Mark Youngkin, Jan Monaghan, and Julie Cheever of the Presidio Restoration Advisory Board in recognition of their accomplishments and continued community support.

Supervisors Wiener and Tang introduced, welcomed, and presented a Certificate of Honor to Mayor Frida, a pet Chihuahua, and Dean Clark, guardian, in recognition of their successful bid on the Animal Care & Control auction item "Your Pet is Mayor for the Day."

SPECIAL ORDER 3:00 P.M.

The President consolidated the two hearing matters (File Nos. 141059 and 141064) related to the 115 Telegraph Hill Boulevard project into one single hearing without objection.

141059 [Public Hearing - Appeal of Exemption from Environmental Review - 115 Telegraph Hill Boulevard]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on September 3, 2014, for the proposed project at 115 Telegraph Hill Boulevard. (District 3) (Appellant: Susan Brandt-Hawley, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt Hawley, Dr. Lawrence Karp, and Alice Barkley (Appellants) provided an overview of both the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Male Speaker; Gary Near; Male Speaker; Sandra Lee Fewer; Jason Owens; Jim Yasso; Stan Hayes; Female Speaker; Peter Dwares; Peter Alexander; Michael Barrett; Andres Katz; John Stewart; Howard Wong; Patricia Sheehan; Nancy Shanahan; Judy Irving; Gerry Crowley; spoke in support of the appeals. AnMarie Rodgers, Jessica Range, and Elizabeth Watty (Planning Department) provided an overview of the decisions of the Planning Commission and Department and responded to questions raised throughout the discussion. Jeremy Ricks, Lewis Butler, and Daniel Frattin (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Commission and Department. Lewis Soapbox; Bran Askin; Vincent Troll; John Stewart; Dustin Hakesper; Robert Middlestaff; Female Speaker; Calvin Shan; Kyle Hotel; Bill Ricks; spoke in support of the project and in opposition to the appeals. Alice Barkley and Susan Brandt Hawley (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

141060 [Affirming the Exemption Determination - 115 Telegraph Hill Boulevard]

Motion affirming the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)

Motion No. M14-189

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 3 - Avalos, Kim, Mar
Excused: 1 - Campos

141061 [Reversing the Exemption Determination - 115 Telegraph Hill Boulevard]

Motion reversing the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 3 - Avalos, Kim, Mar
Excused: 1 - Campos

141062 [Preparation of Findings to Reverse the Exemption Determination - 115 Telegraph Hill Boulevard]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 3 - Avalos, Kim, Mar
Excused: 1 - Campos

SPECIAL ORDER 3:00 P.M.

The President consolidated the two hearing matters (File Nos. 141059 and 141064) into one single hearing noted above.

141064 [Public Hearing - Appeal of Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt Hawley, Dr. Lawrence Karp, and Alice Barkley (Appellants) provided an overview of both the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Male Speaker; Gary Near; Male Speaker; Sandra Lee Fewer; Jason Owens; Jim Yasso; Stan Hayes; Female Speaker; Peter Dwares; Peter Alexander; Michael Barrett; Andres Katz; John Stewart; Howard Wong; Patricia Sheehan; Nancy Shanahan; Judy Irving; Gerry Crowley; spoke in support of the appeals. AnMarie Rodgers, Jessica Range, and Elizabeth Watty (Planning Department) provided an overview of the decisions of the Planning Commission and Department and responded to questions raised throughout the discussion. Jeremy Ricks, Lewis Butler, and Daniel Frattin (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Commission and Department. Lewis Soapbox; Bran Askin; Vincent Troll; John Stewart; Dustin Hakesper; Robert Middlestaff; Female Speaker; Calvin Shan; Kyle Hotel; Bill Ricks; spoke in support of the project and in opposition to the appeals. Alice Barkley and Susan Brandt Hawley (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. The President declared the public hearing closed.

Privilege of the floor was granted to Marlena Byrne (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 141065, 141066, and 141067.

HEARD AND FILED

141065 [Approving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]

Motion approving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar
Excused: 1 - Campos

141066 [Disapproving the Planning Commission's Conditional Use Authorization Decision - Approving a Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be AMENDED to disapprove the Planning Commission's decision, approve the project, and add eleven conditions. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar
Excused: 1 - Campos

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard; approving a Conditional Use Authorization for the same Planning Case and property with additional conditions; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M14-190

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar
Excused: 1 - Campos

141067 [Preparation of Findings Related to the Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar
Excused: 1 - Campos

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141166 [Public Hearing - Public Comment on Possible Nominations and Election of Board President]

Hearing to receive public comment on nominations and the opening of the election for the Office of Board President, in the event a vacancy occurs, to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 141166 and the subsequent nominations and election of the Board President. Female Speaker; Female Speaker; Male Speaker; Andy Duftin; expressed various concerns regarding the nomination and election of a Board President. Female Speaker; expressed her support of Supervisor Breed for Board President. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

NOMINATIONS FOR PRESIDENT OF THE BOARD

Supervisor Farrell nominated Supervisor Tang.

The President asked if there were any further nominations. There being no response the nominations for President of the Board of Supervisors were then closed.

Supervisor Mar was noted absent at 7:11 p.m.
Supervisor Avalos was noted absent at 7:13 p.m.

ELECTION OF THE PRESIDENT OF THE BOARD

The roll was called on the nomination of Supervisor Tang.

Motion to elect Supervisor Tang as President of the Board of Supervisors, in the event a vacancy occurs to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m., PASSED by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Campos
Absent: 2 - Avalos, Mar

Supervisors Avalos and Mar were noted present at 7:14 p.m.

COMMITTEE REPORTS

Recommendations of the Budget and Finance Committee

140880 [Police Code - Hours and Retention Protections for Formula Retail Employees]
Sponsors: Mar; Chiu, Campos and Avalos

Ordinance amending the Police Code to regulate the operation of Formula Retail Establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees; and requiring successor employers to retain employees for 90 days upon a change in control of the business.
(Economic Impact)

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 140880 and 141024.

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to change the formula retail definition from '11 locations' to '20 locations' worldwide. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Mar, Tang, Wiener
Noes: 3 - Avalos, Kim, Yee
Excused: 1 - Campos

(Economic Impact)

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove 'property services contractors' from the requirements of this section. Supervisor Breed withdrew the motion.

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove the 'private right of action' requirements. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

(Economic Impact)

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be CONTINUED AS AMENDED to November 25, 2014. The motion FAILED by the following vote:

Ayes: 4 - Breed, Farrell, Tang, Wiener
Noes: 6 - Avalos, Chiu, Cohen, Kim, Mar, Yee
Excused: 1 - Campos

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141024 [Police Code - Fair Scheduling and Treatment of Formula Retail Employees]

Sponsors: Chiu; Mar

Ordinance amending the Police Code to require Formula Retail Establishments to provide employees with two weeks notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days notice and unused on-call shifts; and to provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 140880 and 141024.

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to change the formula retail definition from '11 locations' to '20 locations' worldwide. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Mar, Tang, Wiener
Noes: 3 - Avalos, Kim, Yee
Excused: 1 - Campos

Supervisor Tang, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED on Page 12, Line 11, by making the requirements of the San Francisco Family Friendly Workplace Ordinance, Chapter 12Z, prevail when there is an unavoidable conflict. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove 'property services contractors' from the requirements of this section. Supervisor Breed withdrew the motion.

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove the 'private right of action' requirements. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be CONTINUED AS AMENDED to November 25, 2014. The motion FAILED by the following vote:

Ayes: 4 - Breed, Farrell, Tang, Wiener
Noes: 6 - Avalos, Chiu, Cohen, Kim, Mar, Yee
Excused: 1 - Campos

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Male Speaker; expressed concerns regarding traffic congestion and ridesharing.
Walter Paulson; shared in song certain concerns with the Board.
Deborah Benedict; expressed concerns regarding Proposition 47.
Mike Casey; expressed concerns regarding nomination and election of a Board President.
Female Speaker; expressed concerns regarding nomination and election of a Board President.
Nissim Lanyadoo; expressed concerns regarding the Mayor candidacy.
Christopher Dahl; expressed various religious concerns.
Mario Yedidia; expressed concerns regarding nomination and election of a Board President.
Female Speaker; expressed concerns regarding free Muni.
Julie Prushu; expressed concerns regarding nomination and election of a Board President.
Patrick Conors; expressed concerns regarding nomination and election of a Board President.
Tammy Bryant; expressed concerns regarding nomination and election of a Board President.
Dan Rosay; expressed various concerns regarding breast cancer.
Trace Lander; expressed concerns regarding nomination and election of a Board President.
Frank Martinez; expressed various concerns.
Bobby Coleman; expressed concerns regarding nomination and election of a Board President.
Andy Duftin; expressed concerns regarding nomination and election of a Board President.
Patrick; expressed various concerns.
Female Speaker; expressed concerns regarding nomination and election of a Board President.
Peter Warfield; expressed concerns regarding nomination and election of a Board President, congratulated Supervisor Chiu on his successul election, and expressed additional concerns regarding public comment.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141156 [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance Amending the Planning Code to Permit Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements (File No. 140954)]

Sponsor: Wiener

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 140954) amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

141157 [Urging the Municipal Transportation Agency to Negotiate a Provision in the Upcoming Towing Contract that Eliminates or Reduces Fees Imposed on Victims of Motor Vehicle Theft]

Sponsors: Wiener; Tang

Resolution urging the Municipal Transportation Agency to include a provision in its 2015 towing contract that either waives all fees imposed on all victims of motor vehicle theft in San Francisco, or significantly reduces the towing fee and significantly extends the grace period during which victims of motor vehicle theft can recover their vehicles before incurring storage fees.

Supervisor Tang requested to be added as a co-sponsor.

ADOPTED

141143 [Final Map 7545 - Hunters View Phase 2]

Motion approving Final Map No. 7545, a 377 unit mixed use residential and commercial condominium project within 5 buildable lots; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Hunters View Development Documents. (Public Works)

Motion No. M14-191

APPROVED

141164 [Final Transfer Map 8404 - 901 Gilman Avenue]

Motion approving Final Transfer Map 8404, a twenty-three-lot subdivision located within Assessor's Block No. 5000, Lot No. 1 and Assessor's Block No. 4977, Lot No. 6, comprised of lots (Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23), and established for conveyancing or financing purposes in furtherance of the Candlestick Point and Phase 2 Hunters Point Shipyard development; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M14-192

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File No. 141165 be severed so that it may be considered separately.

141165 [Committee of the Whole - Receive Public Comment on Possible Nominations and Open Election of Board President]

Sponsor: Chiu

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on November 18, 2014, for the purpose of receiving public comment on nominations and to open the election for the Office of Board President, in the event a vacancy occurs, to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be REFERRED to Committee. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener
Excused: 1 - Campos

Motion No. M14-194

APPROVED by the following vote:

Ayes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener
Noes: 4 - Avalos, Kim, Mar, Yee
Excused: 1 - Campos

Supervisor Kim requested that File No. 141152 be severed so that it may be considered separately.

141152 [Committee of the Whole - Consent to Successor Agency Actions Facilitating Interim Financing for Transbay Transit Center - Transbay Redevelopment Project Area - December 9, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on December 9, 2014, at 3:00 p.m., to hold a public hearing to approve actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area for the construction of the Transbay Transit Center.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be AMENDED to change the Committee of the Whole hearing date from 'November 25, 2014' to 'December 9, 2014.' The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Motion No. M14-193

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

141138 [Settlement of Lawsuit - Elvis Taouil - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Elvis Taouil against the City and County of San Francisco for $50,000; the lawsuit was filed on August 8, 2013, in the United States District Court, Case No. C13-3674 DMR; entitled Elvis Taouil v. City and County of San Francisco, et al. (City Attorney)

10/31/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

141159 [Emergency Work - Repairing Lower Cherry Aqueduct and Upgrading Sunol Valley Water Facilities Related to Drought Declaration - Not to Exceed $35,000,000]

Resolution approving emergency public work of the San Francisco Public Utilities Commission related to drought declaration under Administrative Code, Section 6.60, to perform immediate work to repair Lower Cherry Aqueduct, Sunol Valley Water Treatment Plant, San Antonio Pump Station, and related infrastructure with contract amounts not to exceed $35,000,000 collectively. (Public Utilities Commission)

11/04/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141160 [Settlement of Claims - Wells Fargo - $248,565.92]

Resolution approving the settlement of four unlitigated claims filed by Wells Fargo against the City and County of San Francisco for $248,565.92; claims were filed on April 25, 2014. (City Attorney)

11/06/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Rules Committee.

141161 [Contract Agreement - Recology San Francisco, Recology Golden Gate and Recology Sunset Scavenger - Refuse Collection - Not To Exceed $44,000,000]

Resolution approving under Charter, Section 9.118(b), a Contract Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger ("Contractors"), for refuse services, resulting in total compensation to Contractors in an amount not-to-exceed $44,000,000 for the term of December 1, 2014, through November 30, 2020. (City Administrator)

11/07/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141162 [Master License Agreements - ExteNet Systems, LLC, and GTE Mobilnet of California, LP, d/b/a Verizon Wireless - Outdoor Distributed Antenna System Pole Installation]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Master License Agreements for Outdoor Distributed Antenna System Pole Installation between the City and County of San Francisco, ExteNet Systems (California), LLC, and GTE Mobilnet of California, LP, d/b/a Verizon Wireless, each for a term of 12 years to commence following Board approval. (Public Utilities Commission)

11/07/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141163 [Approval to Grant Easement for Installation of Subsurface Tiebacks and Related Surface Access - TUP Folsom, LLC - 923 Folsom Street Development Project]

Resolution approving the grant of an Easement for installation of subsurface tiebacks and related surface access on Assessor's Parcel Block No. 3753, Lot No. 313 to TUP Folsom, LLC, in connection with construction of the residential development project at 923 Folsom; making environmental findings, and adopting findings that the grant of easement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

11/10/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:17 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, November 25, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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7
/25/14

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

DEC - 1 2014

SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, London Breed, David Campos, David Chiu, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisors Cohen and Mar were not present. There was a quorum.

Supervisor Cohen Excused from Attendance

Supervisor Farrell, seconded by Supervisor Yee, moved that Supervisor Cohen be excused from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Cohen
Absent: 1 - Mar

AGENDA CHANGES

There were none.

Supervisor Mar was noted present at 2:10 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Tang, moved to approve the Board Meeting Minutes of October 21, 2014. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, acknowledged receipt of the following communications:

- From the Office of Supervisor Cohen, dated November 10, 2014, stating the Supervisor will not be in attendance and requests to be excused from the November 25, 2014, Board of Supervisors meeting; and
- From Marilyn Amini (Appellant), dated November 14, 2014, for property located at 300 Wawona Street indicating the withdraw of the appeal; and
- From Jason Mulvaney (Appellant), dated November 20, 2014, for property located at 480 Potrero Avenue indicating the withdraw of the appeal.

CONSENT AGENDA

Recommendations of the Rules Committee

140947 [Settlement of Lawsuit - Carpenter's Union Local 22 - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for $60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

141056 [Settlement of Lawsuit - Michael P. Walsh, Trustee of the John L. Stevenson Trust - Execution of Long-Term Lease - Mowry East Shopping Center, Fremont, California]

Ordinance authorizing settlement of the lawsuit filed by Michael P. Walsh, Trustee of The John L. Stevenson Trust against the City and County of San Francisco by executing a long-term lease of the City's property for shopping center parking, access and landscaping at the Mowry East Shopping Center, Fremont, California; the lawsuit was filed on November 29, 2011, in Alameda County Superior Court, Case No. RG 11606118; entitled Michael P. Walsh, Trustee of The John L. Stevenson Trust v. City and County of San Francisco; other material terms of said settlement are that the plaintiff will pay fair market rent for portions of the leased premises used for parking, the parties will suspend their current dispute for the duration of the lease and the lease will govern the parties' relationship during the lease term, upon expiration or other termination of the lease, each party will retain its ability to assert the claims presented in the lawsuit, and the plaintiff will dismiss the lawsuit. (City Attorney)

FINALLY PASSED

141057 [Settlement of Lawsuit - Heinz Hofmann and Thomas Buckley - $200,000]

Ordinance authorizing settlement of the lawsuit filed by Heinz Hofmann and Thomas Buckley against the City and County of San Francisco for $200,000; the lawsuit was filed on May 7, 2012, in United States District Court for the Northern District of California, Case No. 11-4016 CW; entitled Heinz Hofmann and Thomas Buckley v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

141058 [Settlement of Lawsuit - Brian Hill - $30,400]

Ordinance authorizing settlement of the lawsuit filed by Brian Hill against the City and County of San Francisco for $30,400; the lawsuit was filed on March 5, 2009, in the San Francisco Superior Court, Case No. CGC 14-538953; entitled Brian Hill v. San Francisco Water Power Sewer, and Does 1 to 10. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

140880 [Police Code - Hours and Retention Protections for Formula Retail Employees]
Sponsors: Mar; Chiu, Campos and Avalos
Ordinance amending the Police Code to regulate the operation of Formula Retail Establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees; and requiring successor employers to retain employees for 90 days upon a change in control of the business.
(Economic Impact)

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141024 [Police Code - Fair Scheduling and Treatment of Formula Retail Employees]
Sponsors: Chiu; Mar and Avalos
Ordinance amending the Police Code to require Formula Retail Establishments to provide employees with two weeks notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days notice and unused on-call shifts; and to provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

Supervisor Avalos requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141097 [Administrative Code - Department of Public Health Managed Care Contracts]
Sponsors: Farrell; Chiu and Campos
Ordinance amending the Administrative Code to authorize the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendation of the Land Use and Economic Development Committee

140981 [Administrative Code - Street Light Policy]

Sponsors: Wiener; Cohen and Breed

Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendation of the Neighborhood Services and Safety Committee

141001 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]

Sponsors: Campos; Kim, Avalos, Mar and Farrell

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 5, Lines 19, 20, 24, and 25, by changing 'September 30, 2015' to 'January 31, 2016'; and on Page 6, Lines 1 through 5, by changing '(D) To the extent any information in the Equal Pay Report qualifies as proprietary financial data or trade secret, the City shall not disclose the information unless required by law, including the California Public Records Act and the San Francisco Sunshine Ordinance' to '(D) If any information in the Equal Pay Report constitutes proprietary financial data, or confidential trade secret, or is protected by the right of privacy under the U.S. or California Constitution, the City shall not disclose such information unless required by law, including under the California Public Records Act and the San Francisco Sunshine Ordinance'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Tang, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 13, Line 5, by adding 'Board of Supervisors' after 'Human Rights Commission'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Avalos duplciated this file pursuant to Board Rule 5.31. See File No. 141209.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141209 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]

Sponsors: Campos; Kim, Avalos, Mar and Farrell

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

Supervisor Avalos duplciated this file pursuant to Board Rule 5.31. See File No. 141001.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be RE-REFERRED to the Neighborhood Services and Safety Committee. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendations of the Rules Committee

140909 [Administrative Code - Catastrophic Illness Programs]

Ordinance amending the Administrative Code to authorize the Department of Public Health to designate another City department to carry out various functions in the administration of the Catastrophic Illness Program for City employees and the Catastrophic Illness Program for family members of City employees. (Public Health Department)

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

140953 [Environment Code - Revising the Urban Forestry Council Composition and Meeting Requirements]

Sponsor: Wiener

Ordinance amending the Environment Code to revise the composition and meeting schedule requirements for the Urban Forestry Council.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141117 [Appropriation - Site Development and a Conditional Loan for an Office Project on Van Ness Avenue - Department of Building Inspection - $8,072,300 - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating $8,072,300 from reserves to the Department of Building Inspection in FY2014-2015, for site development and a conditional loan for an office project on Van Ness Avenue.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141120 [Conditional Purchase Agreement - Goodwill SF Urban Development, LLC - 1500-1580 Mission Street - $326,690,953 Anticipated Project Cost]

Sponsor: Mayor

Ordinance approving and authorizing the Director of Property to execute a Conditional Land Disposition and Acquisition Agreement with Goodwill SF Urban Development, LLC, a Delaware limited liability company ("Developer") for the proposed City acquisition of a portion of the real property at 1500-1580 Mission Street, located at the corner of South Van Ness Avenue and Mission Street (Assessors Block No. 3506, Lot Nos. 2 and 3), for approximately $30,296,640 plus approximately $25,884,132 in predevelopment costs, together with a Construction Management Agreement for the completion of an approximately 463,300 gross square foot office building anticipated to cost $270,510,181 for a total anticipated project cost of $326,690,953; exempting the project from contracting requirements in Administrative Code, Chapter 6, and Chapter 14B; and approving the Developer, architect, and general contractor without competitive bidding, but requiring the payment of prevailing wages, implementation of a local business enterprise utilization program, and compliance with the City's local hire policy and first source hiring Ordinance.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141121 [Contract Requirements - Municipal Transportation Agency Armed and Unarmed Security Services]

Sponsors: Avalos; Mar

Ordinance authorizing the Municipal Transportation Agency to include, in any contract for security services it executes within the next year after issuing a competitive solicitation, provisions that require: payment of prevailing wages by both the contractor and subcontractors to any individual providing security services under the contract, and transitional employment and retention for the prior contractor's employees as set forth in Administrative Code, Section 21C.7.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Avalos, seconded by Supervisor Kim, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Avalos, seconded by Supervisor Breed, moved that this Ordinance be CONTINUED ON FIRST READING to December 9, 2014. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141014 [Construction Management Services Agreement Modification - Jacobs Project Management, Co. - General Hospital Rebuild Program - Not to Exceed $20,813,950]

Resolution authorizing the Director of Public Works to execute Modification No. 6 to a professional construction management services agreement with Jacobs Project Management Co. for the General Hospital Rebuild Program, increasing the contract not to exceed amount from $16,400,000 to $20,813,950. (Public Works)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141033 [Real Property Lease - Tenant Improvements - Bayview Plaza, LLC - 3801 Third Street - $373,304 Rent in the Base Year - $865,098 Estimated Improvements Cost]

Resolution authorizing the lease of 15,083 square feet at 3801 Third Street for the Human Services Agency with Bayview Plaza, LLC, merging Suites 200, 205, 210, 230, 235, 240, and adding Suite 220, commencing upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion, at the monthly rent of $39,215.80 during improvements and alterations, and then $41,478.25 per month for five years after substantial completion of the tenant improvements, for a base year's rent total of $373,304; and Construction of Tenant Improvements in an estimated cost to the City of $865,098. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141035 [Engineering Services Agreement Amendment - URS Corporation - New Irvington Tunnel Project - $14,873,561]

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to the professional services agreement for the New Irvington Tunnel Project with URS Corporation to increase the amount by $500,000 for a total revised agreement amount of $14,873,561 and extend the agreement term by one year for a total revised agreement term of ten years, through June 30, 2016, pursuant to Charter, Section 9.118.
(Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141079 [Fixed Base Operator Lease and Operating Agreement Modification - Signature Flight Support Corporation - $70,511,537 Estimated Minimum Guarantee]

Resolution approving Modification No. 1 to Fixed Base Operator Lease and Operating Agreement No. 07-0106 between Signature Flight Support Corporation, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the lease by five years, for a new expiration date of September 30, 2022, for an estimated minimum guarantee of $70,511,537 during the extension of the term. (Airport Commission)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141101 [Multifamily Housing Revenue Note - Hunters View Phase IIA - Not to Exceed $41,000,000]

Sponsor: Cohen

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed $41,000,000 for the purpose of providing financing for the acquisition and construction of a 107-unit multifamily rental housing project known as Hunters View Phase IIA; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141124 [Issuance of Tax-Exempt Obligation - California College of the Arts - Not to Exceed $26,000,000]

Sponsor: Cohen

Resolution approving in accordance with the Internal Revenue Code, Section 147(f), the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $26,000,000 to finance and refinance various capital facilities owned by California College of the Arts or an affiliate.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141151 [Planning and Engineering Services Contract - Carollo Engineers, Inc. - New Southeast Plant Headworks Facility - Not to Exceed $14,000,000]

Sponsor: Mayor

Resolution authorizing the General Manager of the Public Utilities Commission to execute an agreement with Carollo Engineers, Inc., for specialized planning and engineering services for the proposed new headworks facility at the Southeast Water Pollution Control Plant for an amount not-to-exceed $14,000,000 and a six-year term to commence following Board approval. (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Referred Without Recommendation from the Budget and Finance Committee

141102 [Mills Act Historical Property Contract - 68 Pierce Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract under Administrative Code, Chapter 71, between Diarmuid R. Russell and Heather Podruchny, the owners of 68 Pierce Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Avalos
Excused: 1 - Cohen

141103 [Mills Act Historical Property Contract - 563-567 Waller Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract under Administrative Code, Chapter 71, between Brandon Miller and Jay Zalewski, the owners of 563-567 Waller Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Avalos
Excused: 1 - Cohen

141104 [Mills Act Historical Property Contract - 621 Waller Street]

Sponsor: Wiener

Resolution approving an historical property contract under Administrative Code, Chapter 71, between Renee and Claude Zellweger, the owners of 621 Waller Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Avalos
Excused: 1 - Cohen

Recommendation of the Government Audit and Oversight Committee

141126 [Authorizing the Use of the City Seal for The Imperial Council of San Francisco's 50th Anniversary Gala; "The Imperial Council of San Francisco, Inc., 50th Anniversary Gala Day" - February 15, 2015]

Sponsors: Wiener; Chiu, Breed and Campos

Resolution authorizing the use of the Official Seal of the City and County of San Francisco by The Imperial Council of San Francisco in the promotion of its 50th Anniversary Gala at San Francisco City Hall on February 15, 2015; and declaring February 15, 2015, to be "The Imperial Council of San Francisco, Inc., 50th Anniversary Gala Day" in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendations of the Land Use and Economic Development Committee

140875 [Planning Code - Amending the Third Street Alcohol Restricted Use District]

Sponsor: Cohen

Ordinance amending the Planning Code to amend the Third Street Alcohol Restricted Use District to allow Alcoholic Beverage Control Type 23, "Small Beer Manufacturer" Licenses; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

140878 [Administrative, Police Codes - Criminal History Inquiries for Employment and Housing]

Sponsors: Kim; Cohen and Breed

Ordinance amending the Administrative and Police Codes to narrow the definition of Property Contracts that are subject to limitations on criminal history inquiries; allow employers and City contractors to inquire about and consider infractions on driving records for positions involving driving; allow employers and City contractors to inquire about and consider a conviction that is more than seven years old for positions involving the supervision or care of minors, dependent adults, or seniors; authorize the City to bring a civil action against a housing provider that violates restrictions on criminal history inquiries; and provide that the criminal history inquiry restrictions in these Codes prevail over any existing conflicting City law.

Supervisor Breed requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141148 [Contracting Process - Van Ness Bus Rapid Transit Project]

Sponsor: Kim

Ordinance modifying the requirements of Administrative Code, Section 6.68, as applied to the proposed construction of the Van Ness Bus Rapid Transit Project, to authorize the Municipal Transportation Agency to, instead of a formal Request for Qualifications, issue a Request for Proposals (RFP) to potential construction managers/general contractors (CM/GC), to include their teams of core trade subcontractors, which RFP will contain minimum qualifications for the CM/GC and certain subcontractors; evaluate the CM/GC primarily on non-cost criteria; negotiate a guaranteed maximum price with the selected CM/GC when the design is sufficiently complete, provided the price is fair and reasonable; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Avalos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Sensei Eric Reed, Martial Arts Instructor, in recognition of his accomplishments and continued community support upon his retirement.

SPECIAL ORDER 3:00 P.M.

141046 [Public Hearing - Appeal of Conditional Use Authorization - 395-26th Avenue]

Hearing of persons interested in or objecting to the Planning Commission's decision of September 4, 2014, Motion No. 19229, relating to approval of a Conditional Use Authorization (Case No. 2013.0205CEKSV), to demolish two residential units on a property within the Outer Clement Street Neighborhood Commercial District (NCD), located at 395-26th Avenue, Assessor's Block No. 1407, Lot No. 017. (District 1) (Appellant: Stephen M. Williams) (Filed October 6, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Steve Williams (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Bobby Cohen (Tenants' Union); Sue Vaughn (Sierra Club); Beverly Upton; spoke in support of the appeal. Walter Paulson; shared in song neither support nor opposition to the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Jon Givner, Deputy City Attorney, responded to questions raised throughout the discussion. Alice Barkley (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. George Jew; Amy Lee; Jeffrey; Ryan Canoe; Andy Chen; Sharon Hilbert; spoke in support of the project and in opposition to the appeal. Steve Williams (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

141047 [Approving the Conditional Use Authorization Decision - 395-26th Avenue]

Motion approving the decision of the Planning Commission by its Motion No. 19229, approving Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Yee, moved to CONTINUE this Motion to December 9, 2014. Supervisor Wiener withdrew the motion.

Supervisor Mar, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141048 [Disapproving the Conditional Use Authorization Decision - 395-26th Avenue]

Motion disapproving the decision of the Planning Commission by its Motion No. 19229, approving a Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Yee, moved to CONTINUE this Motion to December 9, 2014. Supervisor Wiener withdrew the motion.

Motion No. M14-197

Supervisor Mar, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141049 [Preparation of Findings Related to the Conditional Use Authorization - 395-26th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Yee, moved to CONTINUE this Motion to December 9, 2014. Supervisor Wiener withdrew the motion.

Motion No. M14-198

Supervisor Mar, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

SPECIAL ORDER 3:00 P.M.

141083 [Public Hearing - Appeal of Exemption from Environmental Review - 2853-2857 Broderick Street]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on July 3, 2014, and approved during the Discretionary Review Hearing of the Planning Commission on September 18, 2014, to permit an existing three-story-over-basement, two-unit building located at 2853-2857 Broderick Street, Assessor's Block No. 0947, Lot No. 002, to be lifted 3 feet to insert a two-car garage within the basement level, as well as additional work including a dwelling unit merger from 2 units to 1 unit, a side horizontal addition at the south side façade, and vertical additions and rear façade alteration to construct dormers and a deck at the roof/attic level. (District 2) (Appellants: Irving Zaretsky, on behalf of himself, Zeeva Kardos, and Kate Polevoi; Tim Arcuri) (Filed October 20, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers. The President declared public comment closed.

Supervisor Farrell, seconded by Supervisor Kim, moved that this Hearing be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

The President CONTINUED the Hearing to December 9, 2014, at 3:00 p.m.

141084 [Affirming the Exemption Determination - 2853-2857 Broderick Street]

Motion affirming the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Kim, moved that this Motion be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141085 [Reversing the Exemption Determination - 2853-2857 Broderick Street]

Motion reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Kim, moved that this Motion be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141086 [Preparation of Findings to Reverse the Exemption Determination - 2853-2857 Broderick Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review.

Supervisor Farrell, seconded by Supervisor Kim, moved that this Motion be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

SPECIAL ORDER 3:00 P.M.

141087 [Public Hearing - Appeal of Exemption from Environmental Review - 300 Wawona Street]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on May 12, 2014, and approved during the Discretionary Review Hearing of the Planning Commission on September 18, 2014, for the proposed project at 300 Wawona Street. (District 7) (Appellant: Marilyn Amini) (Filed October 20, 2014). (Clerk of the Board)

The President restated the Clerk of the Board's communication of the withdrawal from the appellant and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

141088 [Affirming the Exemption Determination - 300 Wawona Street]

Motion affirming the determination by the Planning Department that a proposed project at 300 Wawona Street is exempt from environmental review. (Clerk of the Board)

Motion No. M14-195

Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141089 [Reversing the Exemption Determination - 300 Wawona Street]

Motion reversing the determination by the Planning Department that a proposed project at 300 Wawona Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141090 [Preparation of Findings to Reverse the Exemption Determination - 300 Wawona Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 300 Wawona Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

SPECIAL ORDER 3:00 P.M.

141139 [Public Hearing - Appeal of Tentative Map - 480 Potrero Avenue]

Hearing of persons interested in or objecting to the decision of Public Works dated October 24, 2014, approving a Tentative Map for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C. (District 10) (Appellant: Jason Mulvaney) (Filed November 3, 2014). (Clerk of the Board)

The President restated the Clerk of the Board's communication of the withdrawal from the appellant and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

141140 [Approving Decision of Public Works and Approving the Tentative Map Appeal - 480 Potrero Avenue]

Motion approving decision of Public Works and approving the Tentative Map Appeal for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M14-196

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141141 [Disapproving Decision of Public Works and Disapproving the Tentative Map Appeal - 480 Potrero Avenue]

Motion disapproving decision of Public Works and disapproving the Tentative Map Appeal for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141142 [Preparation of Findings Related to the Tentative Map Appeal - 480 Potrero Avenue]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map Appeal for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

140999 [Administrative Code - 14B Local Business Enterprise Program]
Sponsors: Mayor; Chiu and Farrell
Ordinance amending the Administrative Code to comprehensively revise the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance (Chapter 14B) to: 1) codify the transfer of implementation and enforcement of Chapter 14B from the Human Rights Commission to the City Administrator and Contract Monitoring Division; 2) require the Mayor to annually set an overall City-wide LBE participation goal of not less than 40% of the value of upcoming contracts; 3) increase the LBE certification size thresholds for small and micro LBEs; 4) increase the bid discount allowed to SBA-LBEs on contracts between $10,000 and $10,000,000; 5) require Administrative Code, Chapter 56, development agreements to include an LBE utilization plan and be subject to certain Chapter 14B provisions; 6) authorize preparation of an implementation plan for a LBE contractor advance program to fund loans to subcontractors; 7) require the City to make good faith efforts to obtain at least three bids from micro or small LBEs for contracts under the threshold or minimum competitive amounts; 8) establish a Mentor-Protégé Program between established successful contractors and LBEs; 9) require separate LBE participation on design and construction portions of design-build construction contracts; 10) repeal Ordinance No. 97-10 relating to completion of the Bayview Branch Library Construction Project; and 11) make various other changes in Chapter 14B.
(Fiscal Impact)

Supervisor Farrell requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141161 [Contract Agreement - Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger - Refuse Collection - Not To Exceed $40,000,000]

Resolution approving under Charter, Section 9.118(b), a Contract Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger (Contractors), for refuse services, resulting in total compensation to Contractors in an amount not to exceed $44,000,000 for the term of December 1, 2014, through November 30, 2020. (City Administrator)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendations of the Land Use and Economic Development Committee

140704 [Administrative Code - Providing Electric Power to City Departments and New Developments]

Sponsors: Wiener; Breed and Kim

Ordinance amending the Administrative Code to clarify the requirement for the City to provide electric service to City departments and facilities and to evaluate the feasibility of providing electric power to new developments and projects.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141096 [Planning Code - Height Exemptions for Hospitals]

Sponsors: Chiu; Wiener

Ordinance amending the Planning Code to allow exemptions above the height limit for hospital mechanical equipment in hospitals that are legal non-compliant structures with regard to height; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Christopher Dahl; expressed various concerns relating to electing the President of the Board and associated process.
Mark Major; expressed various concerns relating to civil rights and hate crimes.
Walter Paulson; shared in song certain concerns with the Board.
Nancy Ross; expressed gratitude to the current President of the Board.
Beverly Upton; expressed gratitude to the current President of the Board.
Tom Gilberty; expressed various concerns relating to celebration of life.
Larry Edmund Juizye; expressed various concerns.
David Choi; expressed various concerns relating to courses at City College of San Francisco.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141194 [Committee of the Whole - Transbay Transit Center - Option Agreement Amendment for the Purchase and Sale of Real Property - Credit Agreement for an Amount Not to Exceed $171,000,000 - December 9, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 9, 2014, at 3:00 p.m., to hold a public hearing to authorize execution of the First Amendment to the Option Agreement for the Purchase and Sale of Real Property, and execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan Agreement; and approve a Credit Agreement for an amount not to exceed $171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority.

Motion No. M14-199

APPROVED

141202 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M14-200

APPROVED

141176 [Final Map 7747 - 1541 Filbert Street]

Motion approving Final Map 7747, a six residential unit condominium project, located at 1541 Filbert Street, being a subdivision of Assessor's Block No. 0527, Lot No. 022, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-201

APPROVED

141177 [Final Map 7930 - 188-194 Noe Street]

Motion approving Final Map 7930, a six residential unit condominium project, located at 188-194 Noe Street, being a subdivision of Assessor's Block No. 3540, Lot No. 013, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-202

APPROVED

141178 [Final Map 8202 - 2194-2198 15th Street and 179-183 Noe Street]

Motion approving Final Map 8202, a five residential unit and one commercial unit, mixed-use condominium project, located at 2194-2198 15th Street and 179-183 Noe Street, being a subdivision of Assessor's Block No. 3541, Lot No. 027, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-203

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Tang requested that File No. 141175 be severed so that it may be considered separately.

141175 [Commending Supervisor David Chiu]

Sponsor: Board of Supervisors

Resolution commending and honoring Supervisor David Chiu for his distinguished service as President of the San Francisco Board of Supervisors.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Wiener requested that File No. 141203 be severed so that it may be considered separately.

141203 [Board of Supervisors Regular Meeting Schedule - 2015]

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 8th, October 13th, November 10th, and December 1st; and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Motion be AMENDED by suspending Board Rule 4.2 and striking 'December 1, 2015' and replacing with 'November 24, 2015'; and on Page 2, beginning on Line 10, by adding 'FURTHER MOVED, That there shall be no Committee meetings during the week of November 23, 2015, to enable staff to finalize the Board agenda and packet materials during the holiday week of Thanksgiving; and, be it'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by suspending Board Rule 4.2 and by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 8th, October 13th, November 10th, and November 24th; and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Wiener, moved that this Motion be AMENDED by suspending Board Rule 4.2 and striking 'September 8, 2015' and replacing with 'September 1, 2015'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 8th, October 13th, November 10th, and December 1st; and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

Motion No. M14-204

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

141174 [Settlement of Lawsuit - Paul Haynes - $110,000]

Ordinance authorizing settlement of the lawsuit filed by Paul Haynes against the City and County of San Francisco, Andrew Guillory, Lenida Reyes and Stephen Yeung, for $110,000; the lawsuit was filed on April 8, 2013, in United States District Court for the Northern District of California, Case No. 13-1567 MEJ; entitled Paul Haynes v. City and County of San Francisco, et al. (City Attorney)

11/17/14; RECEIVED FROM DEPARTMENT.

11/25/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

141180 [Contract Agreement - State Department of Health Care Services - Substance Use Disorder Services - FYs 2014-2017 - $33,250,026]

Resolution retroactively authorizing the San Francisco Department of Public Health, Behavioral Health Services (DPH-BHS) to enter into a multi-year contract for Substance Use Disorder Services with the State Department of Health Care Services (DHCS) for the term of July 1, 2014, through June 30, 2017, in the amount of $33,250,026 and authorizing and designating the DPH County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)

11/17/14; RECEIVED FROM DEPARTMENT.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:37 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, December 9, 2014 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

DEC 12 2014

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Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

KATY TANG, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, Supervisor Mar was not present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

President Tang inquired whether any Board Member had any corrections to the Board Meeting Minutes of October 28, 2014, and November 4, 2014. There were no corrections. Following general public comment, the above referenced minutes were received without objection.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that pursuant to the actions taken by the Board at the Regular Meeting of November 18, 2014, and the effective resignation of former President David Chiu, Supervisor Katy Tang assumed the duties in the Office of President of the Board of Supervisors, as of Monday, December 1, 2014, at 12:16 p.m. and President Tang shall continue in this capacity until a new Board President is elected on Thursday, January 8, 2015, at 12:00 p.m.

CONSENT AGENDA

Recommendations of the Rules Committee

141138 [Settlement of Lawsuit - Elvis Taouil - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Elvis Taouil against the City and County of San Francisco for $50,000; the lawsuit was filed on August 8, 2013, in the United States District Court, Case No. C13-3674 DMR; entitled Elvis Taouil v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140375 [Tolling and Standstill Agreement - Yosemite Slough Environmental Claims]

Resolution approving a Tolling and Standstill Agreement to toll the statute of limitations and forbear the City and other parties that are potentially responsible for environmental contamination at Yosemite Slough from taking action with respect to claims related to costs or expenses arising from the Yosemite Slough Superfund Site. (City Attorney)

ADOPTED

141160 [Settlement of Claims - Wells Fargo - $248,565.92]

Resolution approving the settlement of four unlitigated claims filed by Wells Fargo against the City and County of San Francisco for $248,565.92; claims were filed on April 25, 2014. (City Attorney)

ADOPTED

141206 [Appointments, Shelter Monitoring Committee - Nicholas Kimura, Kendra Amick, and Michael Kirkland]

Motion appointing Nicholas Kimura, Kendra Amick, and Michael Kirkland, terms ending November 23, 2016, to the Shelter Monitoring Committee. (Rules Committee)

Motion No. M14-205

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

REGULAR AGENDA

UNFINISHED BUSINESS

Supervisor Mar was noted present at 2:07 p.m.

Recommendations of the Budget and Finance Committee

141117 [Appropriation - Site Development and a Conditional Loan for an Office Project on Van Ness Avenue - Department of Building Inspection - $8,072,300 - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating $8,072,300 from reserves to the Department of Building Inspection in FY2014-2015, for site development and a conditional loan for an office project on Van Ness Avenue.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141120 [Conditional Purchase Agreement - Goodwill SF Urban Development, LLC - 1500-1580 Mission Street - $326,690,953 Anticipated Project Cost]

Sponsor: Mayor

Ordinance approving and authorizing the Director of Property to execute a Conditional Land Disposition and Acquisition Agreement with Goodwill SF Urban Development, LLC, a Delaware limited liability company (Developer) for the proposed City acquisition of a portion of the real property at 1500-1580 Mission Street, located at the corner of South Van Ness Avenue and Mission Street (Assessors Block No. 3506, Lot Nos. 2 and 3), for approximately $30,296,640 plus approximately $25,884,132 in predevelopment costs, together with a Construction Management Agreement for the completion of an approximately 463,300 gross square foot office building anticipated to cost $270,510,181 for a total anticipated project cost of $326,690,953; exempting the project from contracting requirements in Administrative Code, Chapter 6, and Chapter 14B; and approving the Developer, architect, and general contractor without competitive bidding, but requiring the payment of prevailing wages, implementation of a local business enterprise utilization program, and compliance with the City's local hire policy and first source hiring Ordinance.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141121 [Contract Requirements - Municipal Transportation Agency Armed and Unarmed Security Services]

Sponsors: Avalos; Mar

Ordinance authorizing the Municipal Transportation Agency to include, in any contract for security services it executes within the next year after issuing a competitive solicitation, provisions that require: payment of prevailing wages by both the contractor and subcontractors to any individual providing security services under the contract, and transitional employment and retention for the prior contractor's employees as set forth in Administrative Code, Section 21C.7.
(Fiscal Impact)

FINALLY PASSED by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos, seconded by Supervisor Farrell, moved to rescind the previous vote. The vote carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

140999 [Administrative Code - 14B Local Business Enterprise Program]

Sponsors: Mayor; Farrell and Cohen

Ordinance amending the Administrative Code to comprehensively revise the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance (Chapter 14B) to: 1) codify the transfer of implementation and enforcement of Chapter 14B from the Human Rights Commission to the City Administrator and Contract Monitoring Division; 2) require the Mayor to annually set an overall City-wide LBE participation goal of not less than 40% of the value of upcoming contracts; 3) increase the LBE certification size thresholds for small and micro LBEs; 4) increase the bid discount allowed to SBA-LBEs on contracts between $10,000 and $10,000,000; 5) require Administrative Code, Chapter 56, development agreements to include an LBE utilization plan and be subject to certain Chapter 14B provisions; 6) authorize preparation of an implementation plan for a LBE contractor advance program to fund loans to subcontractors; 7) require the City to make good faith efforts to obtain at least three bids from micro or small LBEs for contracts under the threshold or minimum competitive amounts; 8) establish a Mentor-Protégé Program between established successful contractors and LBEs; 9) require separate LBE participation on design and construction portions of design-build construction contracts; 10) repeal Ordinance No. 97-10 relating to completion of the Bayview Branch Library Construction Project; and 11) make various other changes in Chapter 14B.
(Fiscal Impact)

Supervisor Cohen requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140704 [Administrative Code - Providing Electric Power to City Departments and New Developments]

Sponsors: Wiener; Breed and Kim

Ordinance amending the Administrative Code to clarify the requirement for the City to provide electric service to City departments and facilities and to evaluate the feasibility of providing electric power to new developments and projects.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141096 [Planning Code - Height Exemptions for Hospitals]

Sponsor: Wiener

Ordinance amending the Planning Code to allow exemptions above the height limit for hospital mechanical equipment in hospitals that are legal non-compliant structures with regard to height; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140875 [Planning Code - Amending the Third Street Alcohol Restricted Use District]

Sponsor: Cohen

Ordinance amending the Planning Code to amend the Third Street Alcohol Restricted Use District to allow Alcoholic Beverage Control Type 23, "Small Beer Manufacturer" Licenses; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140878 [Administrative, Police Codes - Criminal History Inquiries for Employment and Housing]

Sponsors: Kim; Cohen and Breed

Ordinance amending the Administrative and Police Codes to narrow the definition of Property Contracts that are subject to limitations on criminal history inquiries; allow employers and City contractors to inquire about and consider infractions on driving records for positions involving driving; allow employers and City contractors to inquire about and consider a conviction that is more than seven years old for positions involving the supervision or care of minors, dependent adults, or seniors; authorize the City to bring a civil action against a housing provider that violates restrictions on criminal history inquiries; and provide that the criminal history inquiry restrictions in these Codes prevail over any existing conflicting City law.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141148 [Contracting Process - Van Ness Bus Rapid Transit Project]

Sponsor: Kim

Ordinance modifying the requirements of Administrative Code, Section 6.68, as applied to the proposed construction of the Van Ness Bus Rapid Transit Project, to authorize the Municipal Transportation Agency to, instead of a formal Request for Qualifications, issue a Request for Proposals (RFP) to potential construction managers/general contractors (CM/GC), to include their teams of core trade subcontractors, which RFP will contain minimum qualifications for the CM/GC and certain subcontractors; evaluate the CM/GC primarily on non-cost criteria; negotiate a guaranteed maximum price with the selected CM/GC when the design is sufficiently complete, provided the price is fair and reasonable; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

141001 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]

Sponsors: Campos; Kim, Avalos, Mar, Farrell and Cohen

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

Supervisors Cohen requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141037 [Administrative Code - Financial Policy Regarding General Reserve Fund]

Sponsors: Mayor; Farrell, Cohen and Avalos

Ordinance amending the Administrative Code to revise the binding financial policy under Charter, Section 9.120, regarding a general reserve and required funding levels, and to update provisions regarding the Rainy Day Reserve Fund.
(Fiscal Impact)

Supervisors Cohen and Avalos requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141053 [Business and Tax Regulations Code - Parking Stations; Revenue Control Equipment]

Ordinance amending the Business and Tax Regulations Code to authorize methods of electronic payment for parking; reduce parking ticket requirements; increase small lot exemptions; amend valet parking requirements; and clarify revenue control equipment requirements. (Treasurer-Tax Collector)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141125 [Accept and Expend Grant - San Francisco Alternative Fuels Readiness Project - $300,000]

Sponsor: Farrell

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant of $300,000 from the California Energy Commission to accelerate the adoption of Alternative Fuel Vehicles in the City and County of San Francisco for the term of June 30, 2014, through September 30, 2016.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141182 [Accept and Expend Grant - Financial Empowerment Innovation Fund Contract - $442,996]

Sponsor: Mayor

Resolution retroactively authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to accept and expend an Innovation Fund Research Contract in the amount of $442,996 from the U.S. Department of the Treasury, Internal Revenue Service, for the period of September 30, 2014, through December 21, 2016.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141183 [Authorizing Participation in the CaliforniaFIRST Program - Renewable Energy Efficiency Program]

Sponsors: Mayor; Farrell

Resolution authorizing the City and County of San Francisco to join the CaliforniaFIRST Program; authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141184 [Authorizing Participation in the California Home Energy Renovation Opportunity Program - Renewable Energy Financing Program and Joint Powers Agreement Amendment]

Sponsors: Mayor; Farrell

Resolution consenting to the inclusion of properties within the City's jurisdiction in the California Home Energy Renovation Opportunity Program to finance distributed generation renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure; and approving the amendment to a certain Joint Powers Agreement related thereto.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141185 [Authorizing Participation in the California Statewide Communities Development Authority Open PACE Program - Soft Story and Renewable Energy Financing]

Sponsors: Mayor; Farrell

Resolution consenting to the inclusion of properties within the territory of the City and County of San Francisco in the California Statewide Communities Development Authority (CSCDA) Open PACE Program; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140977 [Airport Professional Services Agreement Modification - TransCore, LP - Ground Transportation and Taxi Management System - Not to Exceed $10,626,200]

Resolution approving Modification No. 1 to Professional Services Agreement, Airport Contract 8841R, to design, develop, install, and maintain an integrated Ground Transportation and Taxi Management System between TransCore, LP, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $10,626,200 pursuant to Charter, Section 9.118(b), and extending the term for one year through June 30, 2016. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 8 - Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 2 - Avalos, Campos

Recommendations of the Land Use and Economic Development Committee

141163 [Approval to Grant Easement for Installation of Subsurface Tiebacks and Related Surface Access - TUP Folsom, LLC - 923 Folsom Street Development Project]

Resolution approving the grant of an Easement for installation of subsurface tiebacks and related surface access on Assessor's Parcel Block No. 3753, Lot No. 313 to TUP Folsom, LLC, in connection with construction of the residential development project at 923 Folsom Street; making environmental findings, and adopting findings that the grant of easement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution as defined. (Real Estate Department)

ADOPTED by the following vote:
Ayes: 8 - Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 2 - Avalos, Campos

Supervisor Campos, seconded by Supervisor Farrell, moved to rescind the previous vote: The motion carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141190 [Authorizing the Nullification of the Current Four Priority Conservation Areas - Sutro Tower, Aquavista/Twin Peaks, Palou/Phelphs Open Space, and Bayview Radio Property]

Sponsor: Mar

Resolution authorizing the nullification of the current four Priority Conservation Areas: Sutro Tower, Aquavista/Twin Peaks, Palou/Phelphs Open Space, and Bayview Radio Property and allowing the Planning Department to further study the topic in order for the Board of Supervisors to consider new designations at a later date that align more closely with the policies and goals adopted by the City.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

141003 [Campaign and Governmental Conduct Code - Conflict of Interest Code Amendments]

Sponsor: Tang

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code for the City, the Community College District, the Local Agency Formation Commission, the San Francisco Unified School District, the County Transportation Authority, and the Successor Agency to the Redevelopment Agency, by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining the disclosure requirements applicable to some designated officials and employees.

Supervisor Tang, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED on Page 31, Line 20, by striking 'filter' and adding 'filler.' The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141133 [Appointments, Park, Recreation and Open Space Advisory Committee - Mark Scheuer and Richard Ivanhoe]

Motion appointing Mark Scheuer and Richard Ivanhoe, terms ending February 1, 2016, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M14-206

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141168 [Appointment, Health Authority - Irene Conway]

Motion appointing Irene Conway, term ending January 15, 2018, to the San Francisco Health Authority. (Rules Committee)

Motion No. M14-207

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141169 [Appointment, Bicycle Advisory Committee - Bert Hill]

Motion appointing Bert Hill, term ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M14-208

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141170 [Appointments, Local Homeless Coordinating Board - Deleano Seymour, Kim Armbruster, and Erick Brown]

Motion appointing Deleano Seymour (residency requirement waived), Kim Armbruster, and Erick Brown, terms ending October 21, 2018, to the Local Homeless Coordinating Board. (Rules Committee)

Motion No. M14-209

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141171 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Marily Mondejar]

Sponsor: Mayor

Motion confirming the Mayor's reappointment of Marily Mondejar to the Commission on Community Investment and Infrastructure, Seat 2, for a four-year term ending November 3, 2018.

Motion No. M14-210

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141172 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Mara Rosales]

Sponsor: Mayor

Motion confirming the Mayor's reappointment of Mara Rosales to the Commission on Community Investment and Infrastructure, Seat 4, for a four-year term ending November 3, 2018.

Motion No. M14-211

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141123 [Administrative Code - Establishing the Duties of the Office of Early Care and Education and Creating the Office of Early Care and Education Citizens' Advisory Committee]

Sponsors: Yee; Avalos, Kim, Tang, Campos, Wiener, Farrell, Breed and Mar

Ordinance amending the Administrative Code to establish the duties of the Office of Early Care and Education and to create the Office of Early Care and Education Citizens' Advisory Committee.

Supervisors Tang, Campos, Wiener, Farrell, Breed, and Mar requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141174 [Settlement of Lawsuit - Paul Haynes - $110,000]

Ordinance authorizing settlement of the lawsuit filed by Paul Haynes against the City and County of San Francisco, Andrew Guillory, Lenida Reyes and Stephen Yeung, for $110,000; the lawsuit was filed on April 8, 2013, in United States District Court for the Northern District of California, Case No. 13-1567 MEJ; entitled Paul Haynes v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141105 [Supporting the Creation of Open Source Voting Systems - Studying New Models of Voting System Development]

Sponsors: Wiener; Mar, Cohen and Kim

Resolution committing the City and County of San Francisco to work with the California Association of Voting Officials and other jurisdictions and organizations to create new voting systems using open source software; and to study the feasibility of the City and County of San Francisco developing and using a new voting system, either whole or in part, through a collaborative model like the Los Angeles County Voting Systems Assessment Project.

Supervisors Cohen and Kim requested to be added as co-sponsors.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be AMENDED on Page 1, Line 4, by striking 'California Association of Voting Officials and'; on Page 4, Lines 11-21, by striking the Whereas clause; and on Page 5, Lines 1-3, by striking the Whereas clause. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution committing the City and County of San Francisco to work with other jurisdictions and organizations to create new voting systems using open source software; and to study the feasibility of the City and County of San Francisco developing and using a new voting system, either whole or in part, through a collaborative model like the Los Angeles County Voting Systems Assessment Project.

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141222 [Extending the Term for the Balboa Park Station Community Advisory Committee]

Sponsor: Avalos

Resolution extending the term for the Balboa Park Station Area Plan Community Advisory Committee to provide continued input and community oversight to area transportation and other public improvements.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141205 [Appointments, Market and Octavia Community Advisory Committee - Krute Singa, Joshua Marker, Raymond Gary McCoy, Kenneth Wingard, Paul Olsen, and Jason Henderson]

Motion appointing Krute Singa, Joshua Marker, Raymond Gary McCoy, Kenneth Wingard, Paul Olsen, Jason Henderson, terms ending December 16, 2016, to the Market and Octavia Community Advisory Committee. (Rules Committee)

Motion No. M14-212

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Tang, seconded by Supervisor Wiener, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Tang introduced, welcomed, and presented an In Memoriam to the friends and family of Jennifer Entine Matz in recognition of her accomplishments upon her untimely passing. Supervisors Farrell, Kim, Wiener, Avalos, and Campos; Angela Calvillo, Clerk of the Board; Todd Rufo, Director, Mayor's Office of Economic and Workforce Development; and Alan Entine, Jennifer's father shared in this in memoriam.

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Sharon Adams, on behalf of Michael Baxter of the Department of Public Health in recognition of his years of dedicated service upon his departure of the City and County of San Francisco due to unforeseen health reasons. Supervisors Campos and Avalos shared in this commendation.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Ben Schwartz in recognition of his recent acts of heroism during an attack of violence.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Terri Goodwin of the Center for the Arts for her accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

141083 [Public Hearing - Appeal of Exemption from Environmental Review - 2853-2857 Broderick Street]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on July 3, 2014, and approved during the Discretionary Review Hearing of the Planning Commission on September 18, 2014, to permit an existing three-story-over-basement, two-unit building located at 2853-2857 Broderick Street, Assessor's Block No. 0947, Lot No. 002, to be lifted 3 feet to insert a two-car garage within the basement level, as well as additional work including a dwelling unit merger from 2 units to 1 unit, a side horizontal addition at the south side façade, and vertical additions and rear façade alteration to construct dormers and a deck at the roof/attic level. (District 2) (Appellants: Irving Zaretsky, on behalf of himself, Zeeva Kardos, and Kate Polevoi; Tim Arcuri) (Filed October 20, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Irving Zaretsky and Paul Wythes (Appellants) provided an overview of the appeal and further requested the Board to approve the appeal. Patricia Vaughey; spoke in support of the appeal. Tina Tam (Planning Department) provided an overview of the decision of the Planning Department. Ilene Dick and Gregory Cook (Project Sponsors) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Irving Zarefsky (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

141084 [Affirming the Exemption Determination - 2853-2857 Broderick Street]

Motion affirming the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Motion No. M14-213

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141085 [Reversing the Exemption Determination - 2853-2857 Broderick Street]

Motion reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141086 [Preparation of Findings to Reverse the Exemption Determination - 2853-2857 Broderick Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141153 [Hearing - Transbay Transit Center - Consent to Successor Agency Actions Facilitating Interim Financing - First Amendment to the Option Agreement]

Hearing to consider the proposed Resolution of the Board of Supervisors (File No. 141154), acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, to approve actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area for the construction of the Transbay Transit Center. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 141154. Supervisor Kim provided some opening remarks. Tiffany Bohee, Director, Mayor's Office of Community Investment and Infrastructure, provided an overview of the project. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Supervisor Campos was noted absent at 4:20 p.m. and noted present at 4:24 p.m.

141154 [Consent to Successor Agency Actions Facilitating Interim Financing - Transbay Transit Center - Transbay Redevelopment Project Area - Amendment to Option Agreement Affecting Affordable Housing Requirement]

Sponsor: Kim

Resolution of the Board of Supervisors, acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area; and to facilitate interim financing by the Transbay Joint Powers Authority for the construction of Transbay Transit Center.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Absent: 1 - Campos

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141204 [Hearing - Transbay Joint Powers Authority - First Amendment to Option Agreement; Consent to Conditions of Bridge Loan - Credit Agreement from Goldman Sachs Bank - Not to Exceed $171,000,000]

Hearing to consider a Resolution (File No. 141155) to authorize the execution of the First Amendment to the Option Agreement for the Purchase and Sale of Real Property, and execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan with a value of $171,000,000, and acknowledge the Subordination of the Option Agreement for the Purchase and Sale of Real Property for Transbay Parcels F, O, O', and O"; and a Resolution (File No. 141189) to approve a Credit Agreement for an amount not to exceed $171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority, and making certain public benefit findings for the Transbay Transit Center program under California Government Code, Section 6586.5. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 141189. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

141189 [Credit Agreement - Goldman Sachs Bank USA - Transbay Joint Powers Authority - Not to Exceed $171,000,000]

Sponsor: Kim

Resolution approving a Credit Agreement for an amount not to exceed $171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority and making certain public benefit findings for the Transbay Transit Center program under California Government Code, Section 6586.5.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Budget and Finance Committee

141155 [Approval of First Amendment to Option Agreement for the Purchase and Sale of Real Property - Transbay Joint Powers Authority - Consent to Conditions of Transbay Joint Power Authority's Bridge Loan - $171,000,000]

Sponsor: Kim

Resolution authorizing the Director of Property to execute the First Amendment to Option Agreement for the Purchase and Sale of Real Property between the City, Transbay Joint Powers Authority, and Successor Agency to the Redevelopment Agency of City and County of San Francisco; execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan with a value of $171,000,000; and acknowledge the Subordination of the Option Agreement for the Purchase and Sale of Real Property for Transbay Parcels F, O, O', and O".

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMITTEE REPORT

Recommendation of the Neighborhood Services and Safety Committee

141098 [Health, Business and Tax Regulations Codes - Tobacco Sales Permits and Associated Fees]

Sponsors: Mar; Kim, Wiener, Campos, Avalos and Cohen

Ordinance amending the Health Code by adding density, proximity, and sales establishment limitations on the granting of new tobacco sales permits, and renumbering all sections in Article 19H; amending the Business and Tax Regulations Code by increasing the annual license and application fees; and making environmental findings.

Supervisors Campos, Avalos, and Cohen requested to be added as co-sponsors.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Privilege of the floor was granted, without objection, to the family of Rosa Mena.

PUBLIC COMMENT

Female Speaker; expressed various concerns relating to oath of office and public office.
John Jenkel; expressed various concerns relating to oath of office, public office, and police homicides.
Peter Alexander; shared in poem various concerns relating to racism and religion.
Male Speaker; expressed various religious concerns.
Peter Warfield; expressed various concerns relating to public comment time, privacy technology proposed at the Library, and censorship.
Christopher Dahl; expressed various concerns relating to sea level, public comment time, commendations time, and in memoriams.
Ace Washington; expressed various concerns relating to public comment time and African-American community.
Tom Gilberty; expressed various concerns relating to metaphors, sale of property, and landlord/tenant taxes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141241 [Final Map 8071 - 100 Van Ness Avenue]

Motion approving Final Map 8071, a 400 residential unit and 3 commercial unit, mixed-use condominium project, located at 100 Van Ness Avenue Street, being a subdivision of Assessor's Block No. 0814, Lot No. 20, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-214

APPROVED

141242 [Final Map 7665 - 240-250 Precita Avenue]

Motion approving Final Map 7665, a six residential unit condominium project, located at 240-250 Precita Avenue, being a subdivision of Assessor's Block No. 5517, Lot No. 098, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-215

APPROVED

141243 [Final Map 8234 - 1601 Larkin Street]

Motion approving Final Map 8234, a 27 residential unit condominium project, located at 1601 Larkin Street, being a subdivision of Assessor's Block No. 0620, Lot No. 006, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-216

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Tang requested that File No. 141223 be severed so that it may be considered separately.

141223 [Declaration of Election Results - November 4, 2014 - Consolidated General Election]

Sponsor: Tang

Resolution declaring the results of the November 4, 2014, Consolidated General Election.

Supervisor Tang, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 4, Line 7, by striking 'Z'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos requested that File No. 141234 be severed so that it may be considered separately.

141234 [Affirming the Board of Supervisors Commitment to Equal Justice and the Right to Protest and Urging Reforms in National Policing and Judicial Practices]

Sponsor: Avalos

Resolution urging the Department of Justice to expedite its investigation of the fatal shooting of Michael Brown, to initiate reforms of the Ferguson Police Department and St. Louis County Police Department, and to investigate the St. Louis County Grand Jury process.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution affirming the San Francisco Board of Supervisors commitment to equal justice under the law and the First Amendment right to protest, recognizing the United States' broken and racially biased police and justice systems, and urging the Department of Justice, Congress, and President Obama to review national policing and judicial practices to truly bring equal justice under the law.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Resolution be CONTINUED AS AMENDED to December 16, 2014. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

141208 [Agreement Amendment - AT&T - Telecommunications Services - Not to Exceed $101,433,700]

Ordinance retroactively authorizing the Department of Technology and the Department of Contract Administration to enter into the Second Amendment of an Agreement between the City and AT&T for the City's telecommunications services by extending the term of the agreement through March 1, 2016, and increasing the total not-to-exceed amount of the agreement to $101,433,700. (Department of Technology)

11/17/14; RECEIVED FROM DEPARTMENT.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/8/2015.

141235 [Business and Tax Regulations Code - Repealing Article 3 Regarding Transient Merchants]

Ordinance amending the Business and Tax Regulations Code to repeal Article 3, which contains a license requirement and tax on transient merchants, both of which have been suspended. (Treasurer-Tax Collector)

11/18/14; RECEIVED FROM DEPARTMENT.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/8/2015.

141236 [Settlement of Lawsuit - Colleen Sullivan, Silvia David, and Gordon Clark - $360,753.71]

Ordinance authorizing partial settlement of the lawsuit filed against the City and County of San Francisco for $360,753.71; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. 12-02584 JCS; currently entitled Colleen Sullivan, Silvia David, and Gordon Clark v. City and County of San Francisco. (City Attorney)

11/21/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Rules Committee.

141237 [Planning Code - Procedure for Requesting Modification of Code Requirements or Planning Department Practices and Procedures to Accommodate a Disability]

Ordinance amending the Planning Code to establish a process for making and acting upon requests for reasonable modification of a Planning Code requirement or a Department policy, practice, or procedure to accommodate a disability pursuant to federal and state fair housing laws; and affirming the Planning Department's California Environmental Quality Act determination and making findings of consistency with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

11/25/14; RECEIVED FROM DEPARTMENT.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2015.

PROPOSED RESOLUTIONS

141238 [Lease Agreement - Menzies Aviation (USA), Inc. - West Field Cargo Building 632 and Related Areas on Plot 9 - Minimum Rent of $5,356,944]

Resolution approving Lease Agreement No. 14-0207 between Menzies Aviation (USA), Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for approximately 36,012 square feet of exclusive use space in West Field Cargo Building 632 and related areas on Plot 9, with an estimated minimum rent of $5,356,944, a three- year initial term and three one-year options to extend. (Airport Commission)

11/17/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141239 [Lease of Real Property - C and E Haas Development Company, LLC - 1 Bayview Park Road - Initial Annual Base Rate $78,000]

Resolution approving a lease between C and E Haas Development Company, LLC, as landlord, and the City and County of San Francisco, acting by and through the Municipal Transportation Agency (MTA), as tenant, for certain premises at 1 Bayview Park Road (Assessor Block No. 4991, Lot No. 1C), for an approximate ten-year term to commence upon lease execution (expected to be about January 1, 2015) through December 31, 2024, with three five-year options at an initial annual lease rate of $78,000 with annual increases, for use as a MTA radio transmission site; 2) adopting environmental findings; and 3) authorizing other actions in furtherance of this Resolution. (Municipal Transportation Agency)

11/24/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141240 [Edgewood Center for Children and Families Psychiatric Facility and Designation Agreement]

Resolution designating Edgewood Center for Children and Families as an Evaluation and Treatment Facility, pursuant to California Welfare and Institutions Code, Section 5151, for youth ages 5 to 17; and authorizing the Director for Behavioral Health Services to enter into a Designation Agreement with said facility. (Public Health Department)

11/24/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:00 p.m.

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